

# **THE OLD SPANISH TRAIL**

## ***FINAL PLAN***



July 24, 2014

# THE OLD SPANISH TRAIL

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Adopted July 24, 2014

MCPC Resolution 2014-004, Project No. 2014-0031 MP

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## Purpose/Location/History

### Purpose

Mesa County, in partnership with various public and private organizations, has developed this plan to recognize, promote and protect the Old Spanish Trail, along with the Gunnison River Bluffs Trail, by:

- Developing a vision and goals for the area;
- Identifying, surveying and recording trail alignments through the area;
- Identifying trail standards to be used for construction and maintenance;
- Identifying signing standards;
- Identifying funding sources for trail and trailhead development and enhancements;
- Developing a Community Engagement Strategy; and
- Promoting long-term stewardship.

### Location

The Plan area includes approximately 3,000 acres of bluffs and desert land along the Gunnison River immediately south of Orchard Mesa and north of Whitewater, Colorado (Exhibit 1). At the center is the Mesa County Landfill, including a buffer zone of Mesa County and some BLM lands. The Old Spanish Trail (northern branch) and historic wagon roads traverse the area. The Old Spanish Trail is approximately 5 miles long. The Gunnison River Bluffs Trail (GRBT) is approximately 8 miles in length. Based on anecdotal information, the GRBT is the more popular of the two trails due to a route that provides scenic views as it overlooks the Gunnison River. Based on machine counts obtained from the BLM, average number of visitors to the area is in the range of 600 people per month. The counts include use of both the OST and the GRBT. Counts for the trails are not available individually.

Although no planning for the GRBT is included in this document, its historical use will remain unchanged pending the outcome of the BLM's Resource Management Plan. A future step in planning for the area will be to revisit this document to include a plan for the GRBT. Some of the issues that will need to be addressed are:

- There are no trail-specific easements across some of the lands the GRBT traverses, most notably two private parcels.
- There is a conservation easement on 206.93 acres of land that the trail crosses. The easement discusses that the property has "value as part of the Old Spanish Trail (northern branch )."
- The BLM is currently developing a "Resource Management Plan" (RMP) that includes the lands beneath the GRBT. Only when the RMP is completed will any GRBT planning efforts be undertaken. The results of the RMP will be taken into account.

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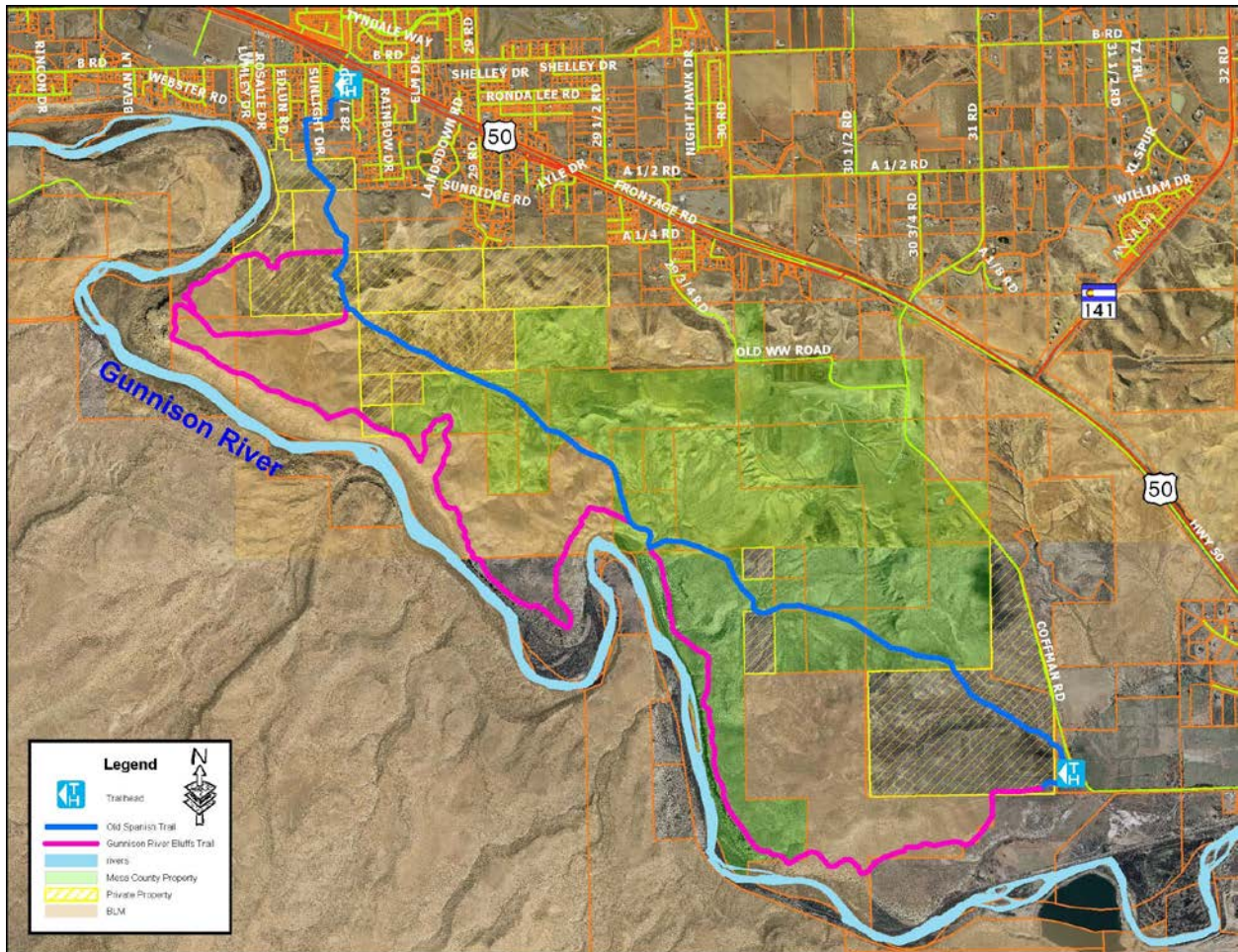


Exhibit 1 - Old Spanish Trail Vicinity

## History

Old Spanish Trail use began in 1829 as a commercial merchant route from Santa Fe to Los Angeles. Early Spanish traders and explorers used the trails blazed by Native Americans for hundreds of years; parts of the routes taken by the famed Dominguez-Escalante Expedition of 1776 were also used. Three “branches” were eventually established and used until the end of the Mexican-American War in 1848 when more wagon-friendly routes were established. This network of trails was used by trappers, prospectors, fortune hunters, explorers, and slave traders.

The Northern Branch – the trail that makes its way through Mesa County - begins north of Santa Fe, New Mexico and extends to the Great Sand Dunes National Park in southern Colorado. It then continues north and west to Saguache, Colorado and the Curecanti National Recreation Area before arriving in Mesa County. The Northern Branch rejoins the Main Branch at Green River, Utah.

In the early 1990s, several Grand Junction residents focused attention on the Northern Branch of the trail and its importance to the region. The Grand Junction trail enthusiasts – led by James Robb, co-



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founder of the Riverfront Commission, William Chenoweth, Earl Heusser, Jack and Kathryn Nelson with the National Old Spanish Trails Association, and Carlos Sauvage, BLM Realty Specialist - developed a strategy for National Historic Trail designation.

The Old Spanish Trail Recognition Act was passed unanimously by Congress in 2002, making the Old Spanish Trail the 15th nationally recognized trail. As part of this effort, the 7-mile section of the trail near Whitewater leading to Orchard Mesa was designated a public-use trail by Mesa County, the City of Grand Junction, the Bureau of Land Management and the Riverfront Commission.

Two trailheads, one on BLM land at Coffman Road in Whitewater, the other near 28.5 Road and U.S. Highway 50 on the City of Grand Junction future Park property (the old tree farm), were created in 1995-1996. The BLM secured a 20'-wide easement approximately 900 feet long south of Sunlight Drive to assure public access for hikers, bicyclists and equestrian users.

In 2008, due to confusion about the existence of easements and their legal status, the local North Branch Chapter of the Old Spanish Trail Association, working with community groups, began a campaign of public awareness and historic research of the 7-mile section. With the support of the National Park Service's Rivers, Trails and Conservation Assistance program, a task force was formed, which included representatives from the Bureau of Land Management, Mesa County, the City of Grand Junction, the Grand Junction Riverfront Commission, Orchard Mesa Neighbors in Action, and other groups, to develop a plan for the preservation and enhancement of the Old Spanish Trail area.

Although this section of the Old Spanish Trail has been denoted on government records as a "wagon road" as early as 1880, the public access had been in question. This planning effort included a full survey that verifies legal access for the full length of the existing Old Spanish Trail. The "official" map of the Northern Branch of the Old Spanish Trail shows this section to be north of Highway 50; however, research of the historic records of the 1850s (The Colorado Magazine, March 1946, "Colonel Loring's Expedition Across Colorado in 1858, with Introduction and Notes by LeRoy R. Hafen), as well as County documentation from the 1880s, indicate the existing 5-mile section south of Highway 50 to be the actual location. Documentation supporting that assertion was submitted to the National Park Service for consideration in March of 2011. A historical marker identifies the location on Orchard Mesa where the Old Spanish Trail crosses the Colorado River (Exhibit 2).

Of particular note, according to Mr. Mark Henderson, chairman of the Stewardship Committee of the Old Spanish Trail Association, this is the only section of the Old Spanish Trail, along its entire route from New Mexico to California, designated and utilized as a recreational trail open to the public. Previously, this segment of the trail, long known to the local public as the Old Spanish Trail, had only been officially identified as a "symbolic" portion of the North Branch of the trail. In 2011, a 7-mile-long section of the trail from Whitewater to Orchard Mesa was designated as an official Retracement Route on the Old Spanish Trail by the National Park Service.

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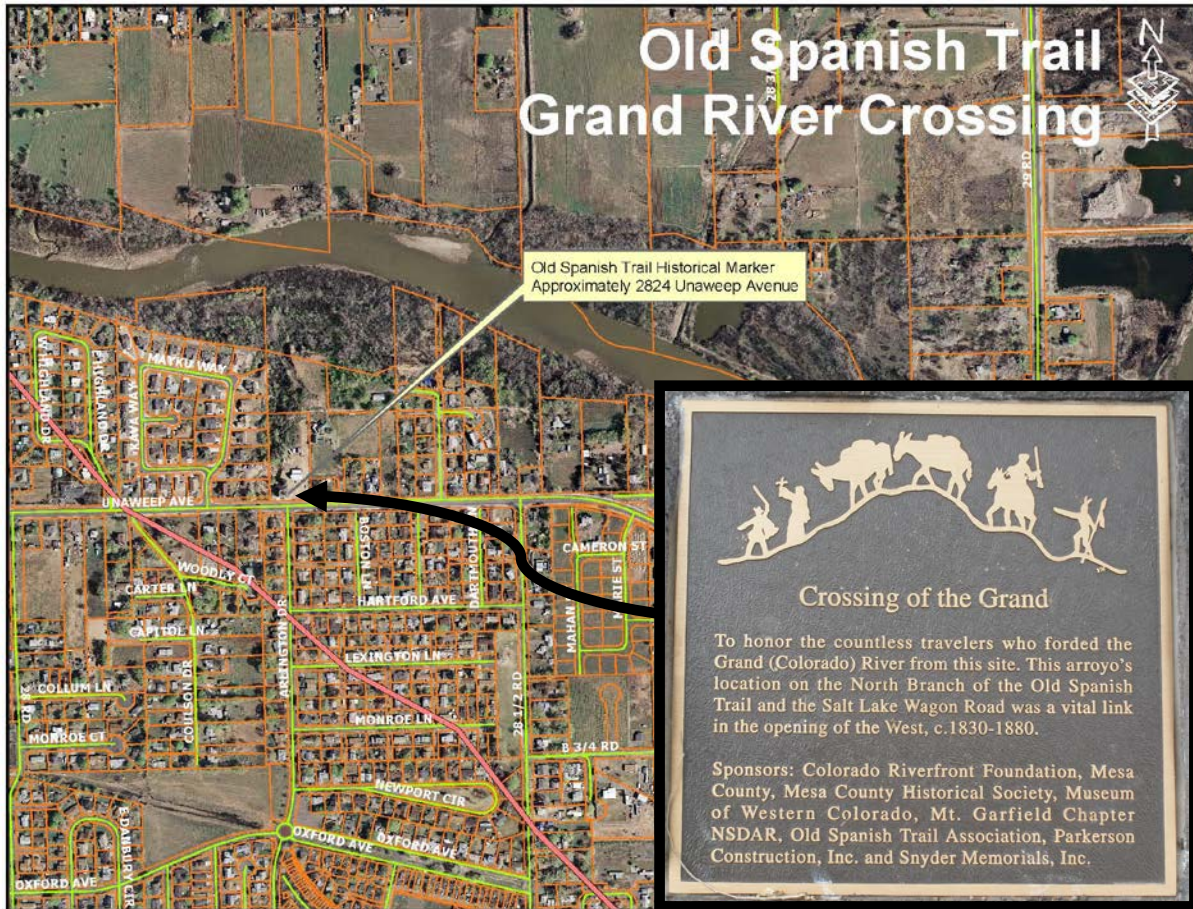


Exhibit 2 – Historical Marker

## Planning Process

The Old Spanish Trail planning effort was initiated by Mesa County, City of Grand Junction, residents and local organizations because the area was threatened by development pressures. This area is a tremendous asset with significant recreation, natural and historic resources for local residents and visitors. The community leaders and local citizens did not want to lose this special place and took action to protect the region. Mesa County and the City of Grand Junction jointly applied for and received a grant for technical and planning assistance from the National Park Service Rivers, Trails and Conservation Assistance Program, which served as a catalyst for the planning effort.

## Gunnison River Bluffs Public Use Plan (1995)

The Gunnison River Bluffs (GRB) Public Use Plan was developed in 1995 as an outgrowth of the Mesa County Solid Waste (Landfill) plan. The document listed a number of planned actions. Among those are:

1. Establish a parking lot and public information point for Gunnison River Bluffs/Old Spanish Trail access at the City of Grand Junction Parks land on 28 ½ and B Road.

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2. Close the BLM and County lands in the area to public motorized vehicle access and target shooting.
3. Support acquisition of private lands or scenic easements from willing sellers, as opportunities arise. The focus should be on the river corridor, scenic lands, and where better public access is needed.
4. BLM should reclassify the approximately 1,000 acres of BLM land in the area from a “disposal” to a “retention” status
5. Develop interpretive materials and install interpretive and informational signing as needed.

There are other goals listed in the GRB Plan, but those above are cited because there has been at least some positive action taken on each of them:

- A parking lot and public information point has been established on the City of Grand Junction property at 28½ and B Road.
- The BLM and County Lands in the area have been closed to public motorized vehicle access.
- The majority, but not all of the area has been closed to shooting. The lands from the 30 Road line and east are not included in a no-shooting zone. (See C.R.S. 30-15-302.)
- In 1997, the BLM amended its Resource Management Plan (RMP) to implement the GRB Plan’s recommendations. The BLM closed about 800 acres of scattered public lands in the area to motorized vehicle use. The amendment also reclassified the same areas from disposal status to “retention lands or exchange that would benefit GRB management.”
- There are informational signs located at various points along the trails and at the trailheads. The signing is helpful, but additional work is needed to provide a comprehensive set of informational and interpretive signing.

## 2010 Planning

The Old Spanish Trail planning process officially kicked off in February 2010 with a meeting of representatives from local history, neighborhood, business, natural resource and youth groups, local, state and federal agencies and citizens. The group continued to hold open monthly meetings with membership growing to include more interested citizens and organizations. A Task Force was created from the main group to work on resource assessments, land strategies, and public outreach, and to develop the plan.

In addition, through a grant provided by Colorado Big Country RC&D, a website, [www.sistertrails.org](http://www.sistertrails.org), was developed to provide project information, maps, photos and meeting notes, and to collect public comments on the project and on the draft plan. The grant also funded a full-color brochure that has been distributed at public events and to school groups. A Facebook page was created to add another opportunity to connect with people and provide information and receive feedback on the project.

Geographic Information System (GIS) mapping, surveying, photography and field investigations were performed to determine the extent and quality of existing trails and open space resources.



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In past years there have been a number of events held to gauge and develop interest in the Old Spanish Trail area. In April, 2008, an open house was hosted by the Old Spanish Trails Association (OSTA) for approximately 30 local representatives, including Mesa County Commissioner Steve Acquafresca and staff from Representative John Salazar and Senator Ken Salazar's offices. OSTA hosted the 2008 annual meeting of the National Old Spanish Trail Board, a tour of the area for then-State Rep. Josh Penry and members of the Colorado GOCO Board. OSTA also hosted numerous other tours with educators and students, including archaeology students from Mesa State College.

In October of 2010, the Taskforce held a Public Open House and a Trail Clean-up to gather input and raise awareness of the Old Spanish Trail and the Taskforce. Nearly 30 community members attended the Open House and were asked to comment about their use, enjoyment and knowledge of the Old Spanish Trail history, as well as future ideas for the trail. Twenty of the attendees were already using & enjoying the trail, and 15 were interested in being involved in promoting and stewarding the trail. The findings were that most people walked, used the trails for recreation and/or for health and exercise, and enjoyed the quiet and scenery. To see a compilation of comments that open house attendees submitted, see Appendix E. The Trail Clean-Up attracted 17 community members who cumulatively gathered 1,000 pounds of refuse along the Old Spanish Trail. Other actions included a project tour with the media, presentations to local organizations and governments.

## 2013 Planning

In 2013, Mesa County and the City of Grand Junction held six open houses regarding the Orchard Mesa Neighborhood Plan. The draft Old Spanish Trail plan was presented to the community at all open houses. The Orchard Mesa Neighborhood Plan, adopted in 2014, identifies the Old Spanish Trail and Gunnison River Bluffs Trail as a recreation destination; goals and actions in the Orchard Mesa Neighborhood Plan support this plan.

## Project Partners

Significant efforts were made to involve a wide range of residents, landowners, stakeholders, agencies and organizations in the preparation of this plan. The planning process has been participatory and has provided opportunity for residents to be involved with formulating key recommendations of the plan. Project partners include:

- Mesa County
- Mesa County Chapter - Old Spanish Trail Association
- Bureau of Land Management
- City of Grand Junction Visitors and Convention Bureau
- Desert Ecosystem Analysis and Restoration
- Western Colorado Conservation Corps
- Parks and trails user groups
- General public.
- City of Grand Junction
- Grand Junction Riverfront Commission
- Mesa County Fair
- Orchard Mesa Neighbors in Action
- National Park Service Rivers, Trails and Conservation Assistance
- Property owners



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## Vision, Goals and Objectives

A Task Force was created to direct the planning process and public outreach and to explore strategies to enhance and protect the Old Spanish Trail and the Gunnison River Bluffs. The Task Force generated a vision statement and goals to guide the planning effort for the Old Spanish Trail. Represented on the Task Force are:

- Mesa County,
- Bureau of Land Management
- Orchard Mesa Neighbors in Action
- Mesa County Chapter of the Old Spanish Trail Association
- City of Grand Junction
- National Park Service
- Grand Junction Riverfront Commission

## Vision

**A managed and sustainable trail experience for hikers, bicyclists and equestrians that links the history of the Old Spanish Trail and celebrates the natural beauty of the Gunnison River Bluffs area for educational and recreational opportunities.**

## Goals and Objectives

1. Energize the community to get outdoors and enjoy the Old Spanish Trail and public lands.
2. Help protect and preserve the area's trails and public lands, the history and heritage of this important resource, and the essential recreation and education amenity for future generations.
  - a. Develop priorities, strategies and implementation steps to move the large undeveloped private land holdings into public ownership or conservation easement to protect the area from development.
  - b. Ensure that legal methods are explored, developed and used to their full extent to protect the legal right-of-way of trails in this area.
  - c. Work in partnership with both public and private property owners and interest groups to secure trails and recreation use in the Whitewater area.
  - d. Acquire, develop, and manage a suitable trailhead for the north end of the Old Spanish Trail and other related trail and recreation resources and amenities.
  - e. Conserve open space easements along the length of the OST. Where possible acquire the property in fee simple absolute.
  - f. Work in partnership with private property owners to facilitate access to their property.
3. Explore new ideas, opportunities and broad-based funding to acquire, develop and manage new trail facilities and maintain existing trails and facilities.
4. Increase awareness of the rich history, natural beauty and recreational opportunities to residents and visitors.
5. Develop plans and implementation strategies for interpretative signage and materials.
6. Ensure the sustainability of these trails by connecting to other local and regional trail networks and recreation and natural areas.

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7. Identify a preferred route, or routes, from the Orchard Mesa OST trailhead to the Riverfront Trail along the Colorado River.
8. Work collaboratively to connect trails with the Dominguez-Escalante National Conservation Area (NCA) and Delta County in the future.

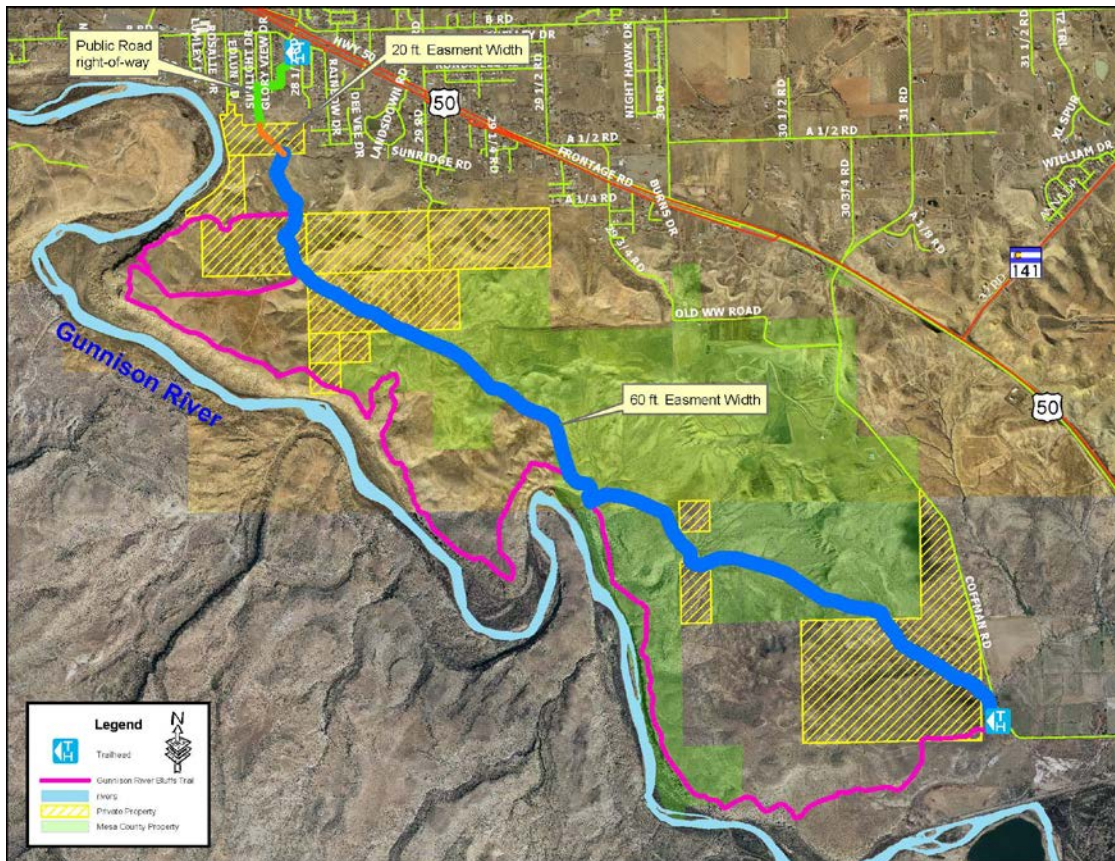




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## Mapping/Surveying of Existing Conditions

The Old Spanish Trail runs nominally northwest to southeast in the area between Orchard Mesa and Whitewater as described in the introduction. The Old Spanish Trail is protected by several road easements granted by various property owners along its length. Ownership of properties through which the easements run have changed, but the agreements remain with the land. Exhibit 3 provides an illustration of the OST easements' current alignments and the width of each.



**Exhibit 3 – Easement Widths and Locations**

The Exclusive Trail Easement granted by John and Patsy M. Johnson is described and recorded in Book 2236, Page 188 and a copy is included as Appendix A. The Ostrager Grant of Easement (Appendix B), recorded in Book 1922, Page 925, allows the grantee to undertake “a resurvey of the easement” to relocate the easement to conform to the actual trail alignment. A resurvey has been performed and a portion of the results have been recorded in Book 5084, Page 420. The recorded portion of the resurvey document, including the signed Board of County Commissioners resolution, is located in Appendix C. The survey of an unrecorded segment of the OST that crosses private property west of Coffman Road (tax parcel number 2967-094-00-240) is located in Appendix D. This segment is not recorded due to a pending agreement between Mesa County and the property owner that would, when mutually agreed to, allow the OST to be relocated to a location that will allow the property to be developed in an effective, efficient manner. Once the final alignment is agreed to, the new location will then be



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recorded. The remaining portion of the resurvey, crossing Mesa County-owned properties, has not been recorded. Mesa County is choosing to keep open its options for relocating the OST across its property, and has elected to not record the resurvey of the area between the two sections described above. This resurvey document is located in Appendix E. It also includes the segments of the surveys included in Appendices B and C.

In addition to the easement locations, several other conditions in the vicinity of the trail have been identified and illustrated in Exhibit 4:

- A No-shooting Zone covers a large portion of the area through which the Old Spanish Trail runs.
- A 200-acre conservation easement includes a large segment of the Gunnison River Bluffs Trail. The easement encumbers approximately one-quarter mile of the Old Spanish Trail.
- Private properties through which the OST easements run.
- Bureau of Land Management property through which certain segments of the OST run and the parcel that hosts the Coffman Road trailhead.
- Mesa County-owned property, including the Mesa County landfill. The trail traverses Mesa County property that serves as a buffer to, but does not currently intrude upon, the designated landfill.

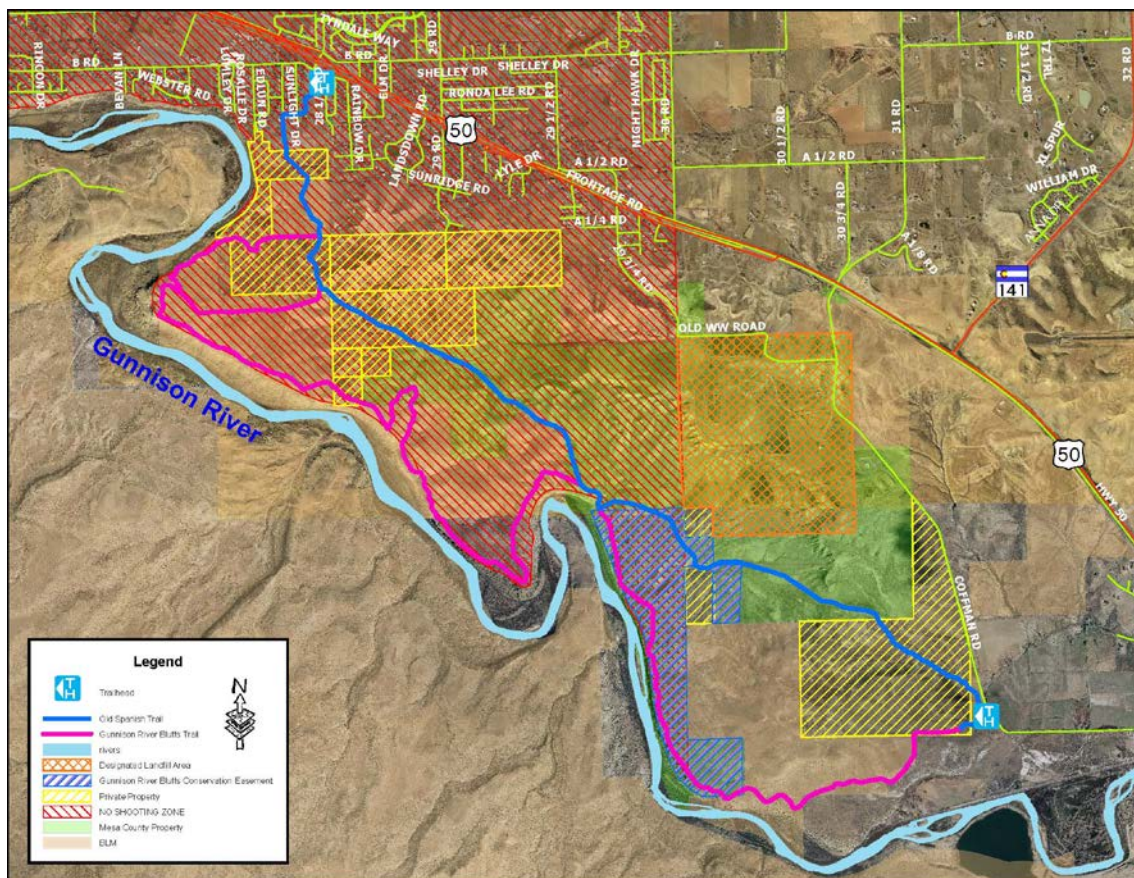


Exhibit 4 – Overview of Land Use Constraints



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## Landfill

The Mesa County Landfill expects the existing designated area of use to last until 2030 or 2035. A future planning effort will determine how Mesa County waste will be disposed of beyond that time. To date, two methods have been discussed:

- One method would be to convert the landfill to a transfer facility. Waste would be consolidated then conveyed to a rail spur at the base of the Gunnison River Bluffs for transfer to an out-of-County landfill. This option would require some type of crossing of the OST with waste containers with an undetermined impact on the OST.
- A second method would be to move landfill operations to adjacent Mesa County Properties. Two possible locations are shown in Exhibit 5. In addition, landfill expansion may require the OST to be relocated or have the right to operate through the easement.

Other options may be considered in the future, but at this point in time it is not certain what the community's waste disposal needs will be. Future technologies such as waste to energy facilities, total recycle, landfill mining technologies or other new technologies may greatly alter space requirements.

Based on such uncertainty, Mesa County desires that OST planning be sufficiently flexible to allow the landfill to operate as needed to fulfill its mission for the community while allowing the OST to serve its historic recreational role.

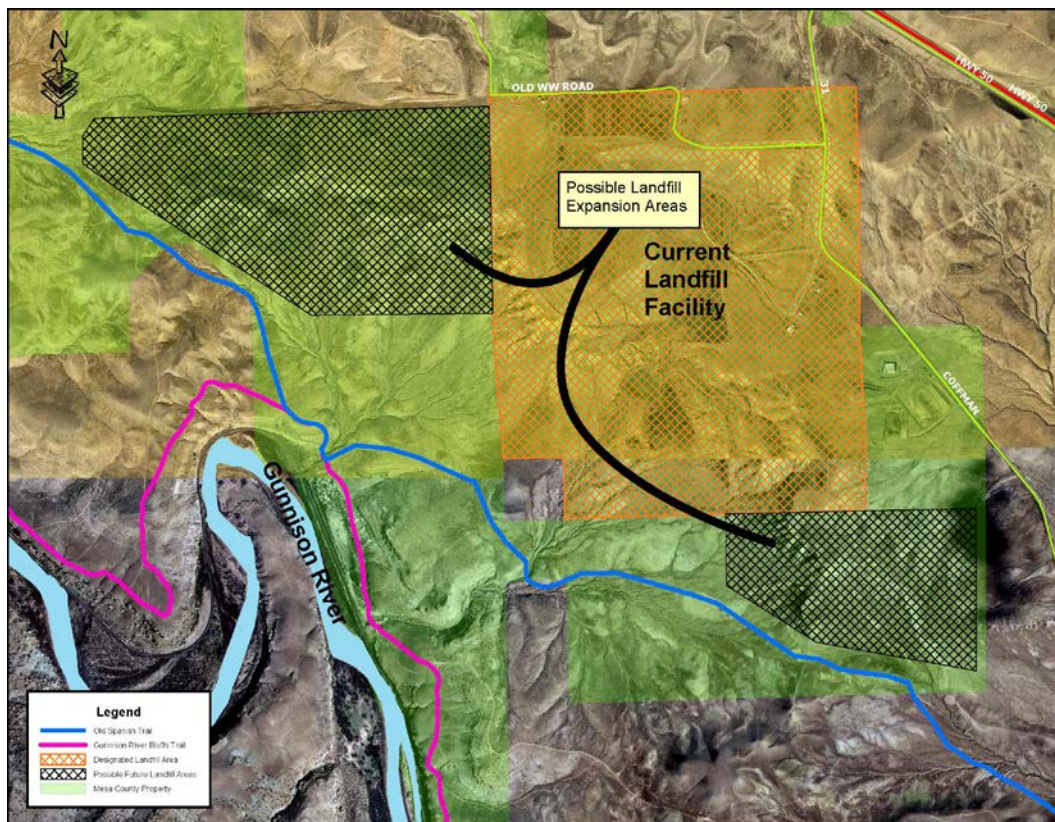


Exhibit 5 – Future Landfill Areas

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## ***Ostrager Conservation Easement***

The 206.93 acre Ostrager Conservation Easement contains one and one-half miles of shoreline frontage on the Gunnison River. It also includes several miles of recreational trails that link public access from adjacent lands, including portions of the Old Spanish Trail and the Gunnison River Bluffs Trail. This easement was acquired through grant funding provided by the *State Board of the Great Outdoors Colorado Trust Fund*. The Deed of Conservation Easement is located in Appendix D.

## **Trailheads**

Trailheads for the Old Spanish Trail (OST) are located at 28½ Road and B Road on property owned by the City of Grand Junction and on BLM property located at approximately 838 Coffman Road. Refer to Exhibit 4 for trailhead locations. The trailheads have served the OST adequately for many years. However, over time it is expected that as community and tourist visitors increase, there will be a need to upgrade the facilities. Photos of the trailheads are below.



**Coffman Road Trailhead**



**28½ Road/B Road Trailhead**

## **Connections**

### **Gunnison River Bluffs Trail**

The area of the Old Spanish Trail also includes the Gunnison River Bluffs Trail (GRBT). The GRBT is shown in its entirety on Exhibit 1. The GRBT is not a part of the OST Plan, but due to its proximity, must be acknowledged. By most accounts, the GRBT is the more popular of the two trails due to the scenic views from above the Gunnison River to points west and south. At this writing, the BLM is in the process of updating its Resource Management Plan (RMP) that includes this area. The BLM has requested that any planning effort on the GRBT be delayed until the RMP is completed. Therefore this plan does not attempt to provide any planning guidance for the GRBT. Any discussion of it is for reference only.

### **Urban Trails Master Plan**

One method for increasing interest in and use of the Old Spanish Trail and surrounding areas is ensuring that as the community grows, other plans and policies include connections between the OST and other



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trails in the community. Of particular interest is planning for connection(s) between the OST and the Riverfront Trail System. The 2001 Urban Trails Master Plan (UTMP) shows connections between the OST and the Riverfront Trail across the Colorado River. In addition, the UTMP also shows a connection to other related trail systems and local roads to access a future crossing of the Gunnison River near where the Black Bridge once stood. Exhibit 6 illustrates the portions of the UTMP that will provide these connections.

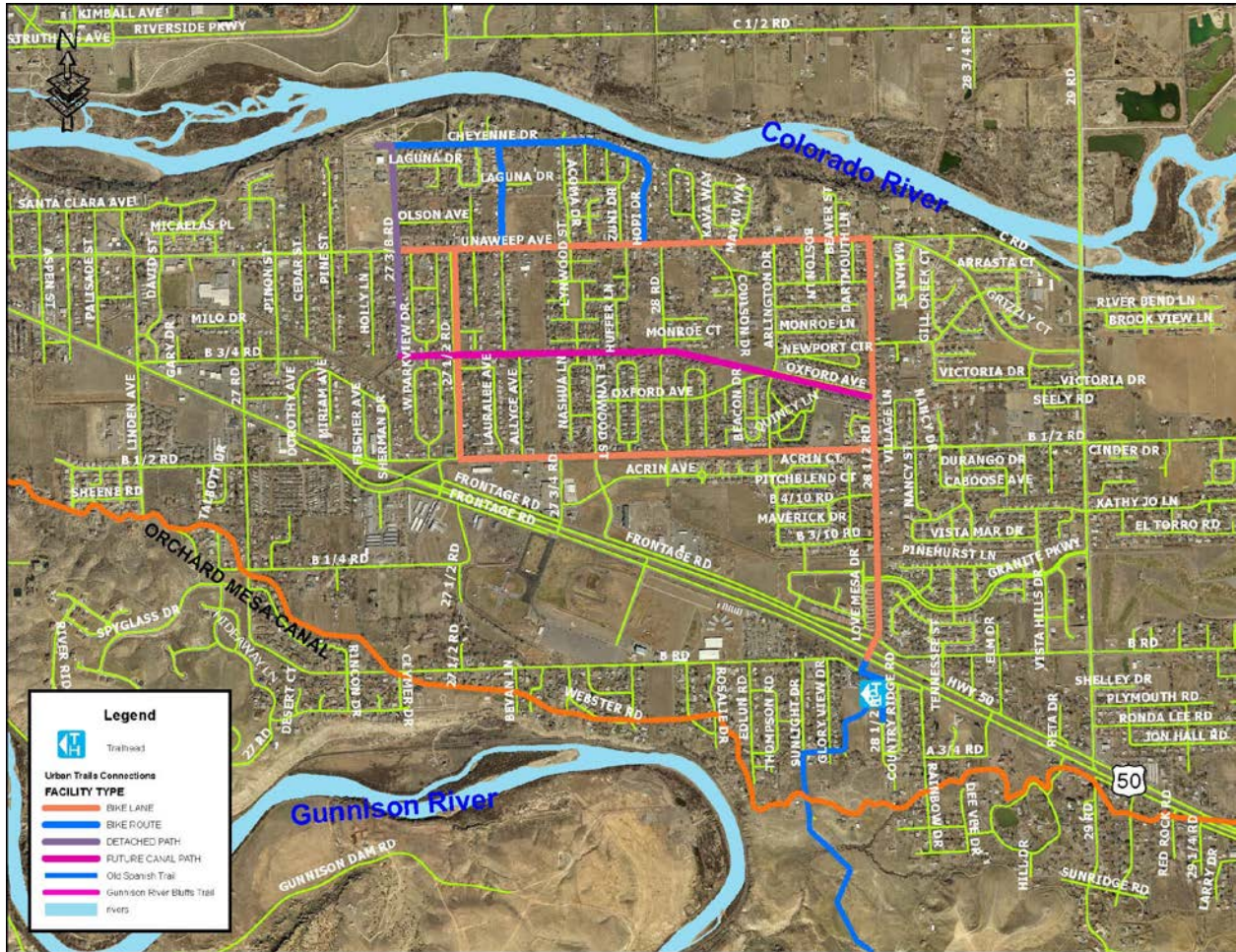


Exhibit 6 – 2001 Urban Trails Master Plan – Links to the Riverfront Trail

## Whitewater, City of Delta and Dominguez-Escalante National Conservation Area

During the course of the OST plan development, there was considerable discussion about the need to connect the trail and area with future trails leading to various destinations. The future connections included a trail along the Gunnison River that would eventually connect with proposed trails and attractions within the Whitewater plan area, the City of Delta and the Dominguez-Escalante NCA. For reference, Exhibit 7 illustrates the general direction such trails would take from the Coffman Road trailhead, but does not attempt to show any specific alignments. Specific trail locations and types will be developed in other planning processes.



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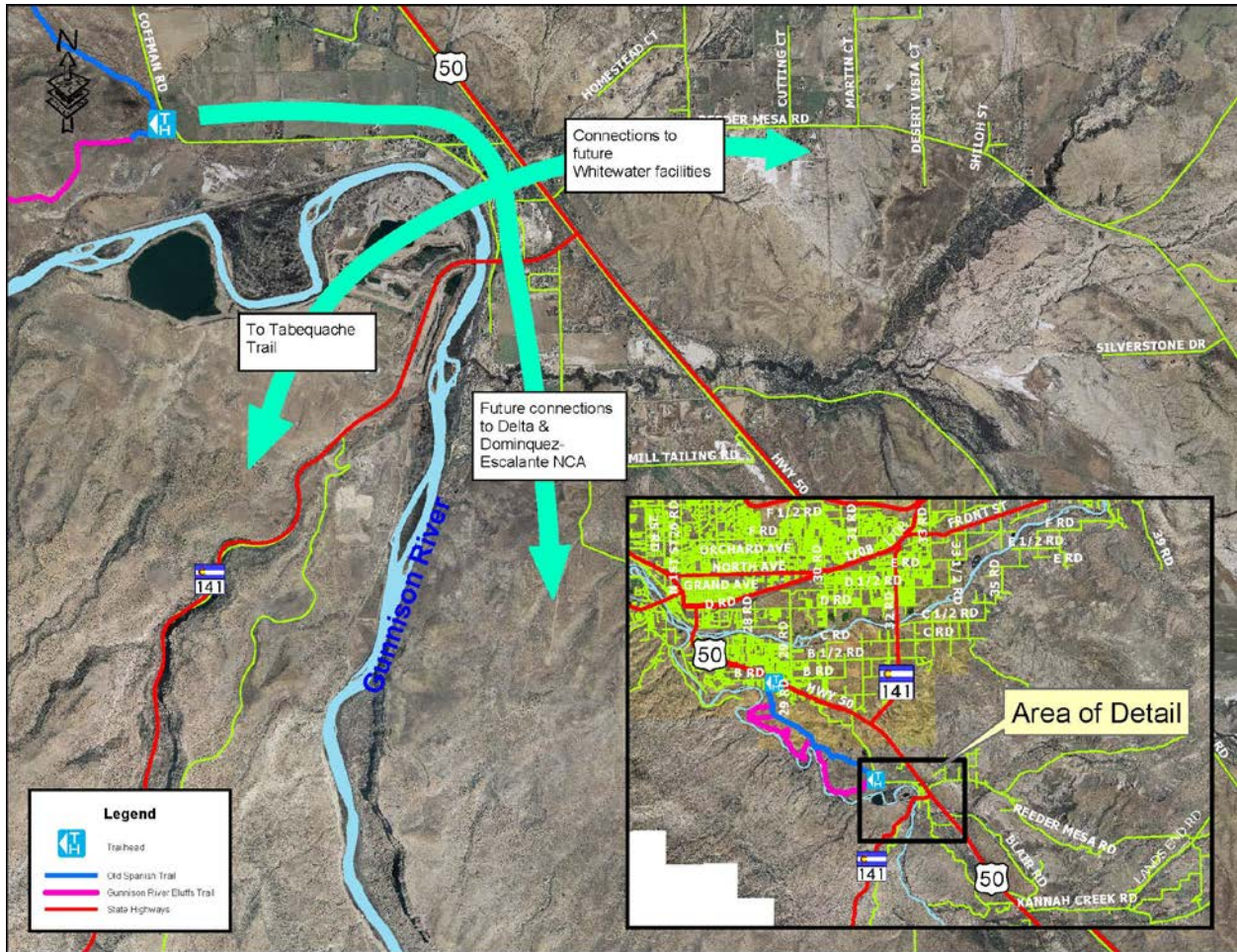


Exhibit 7 - Future Coffman Road Trail Connections



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## Trail Standards

### Trail Use

Use counts are not available to confirm observations, but by all accounts current OST use is low. Even so, the OST and the Gunnison River Bluffs Trail has a dedicated following of users. The users include pedestrians, cyclists and equestrians. Based on analysis of comments provided at the September, 2010 OST open house held at the Mesa County Fairgrounds, most users are from the nearby Orchard Mesa neighborhoods. Trail use is expected to increase as more development occurs in the area.

### Existing Condition

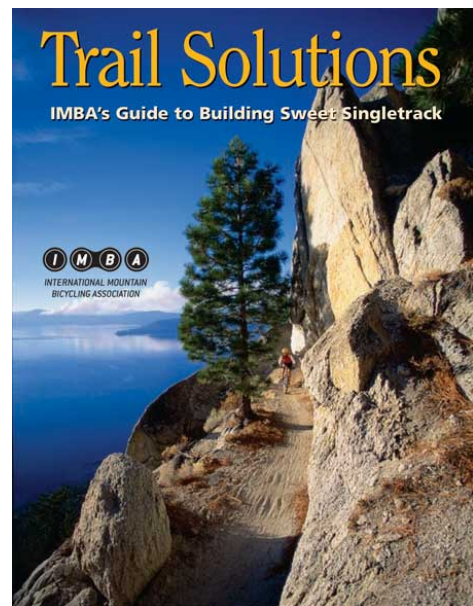
The OST is for the most part a “natural” trail that follows the contours of the land. The trail surface has seen little to no formal improvement along most of its length. The only sections with any improvements are along the Johnson Easement where the easement boundary has been delineated with split rail fencing.

Improvements and remedial work on the trail have been proposed by various volunteer groups, but for a variety of reasons, at the time this report was written, Mesa County was not prepared to allow physical construction in the OST right-of-way or easements under its control. Until such time as it becomes a community-wide priority and adequate funding is available to construct a logical project, authorized by BLM, Mesa County or whatever entity holds the easement(s) at the time, no work can occur on the OST.

### Standards

When an OST project is funded, trail standards shall be appropriate for all users, including equestrians, hikers and mountain bikes. Recommended standards for use when constructing, repairing or maintaining the Old Spanish trail include the publication Trail Solutions: IMBA's Guide to Building Sweet Singletrack, published by the International Mountain Bike Association, June, 2004 (*Trail Solutions*) and as may be amended. These standards are recognized and recommended for use by the BLM’s Grand Junction Field Office and the Mesa County Public Works Department.

Located in Appendix H is the document *Criteria for the Placement of Trails*, provided by the BLM Grand Junction Field Office. The document references not only Trail Solutions, but other documents from the U.S. Forest Service and other public and private organizations. The document provides broad guidelines for trail placement that can be used in concert with *Trail Solutions* for bike, pedestrian and equestrian use.

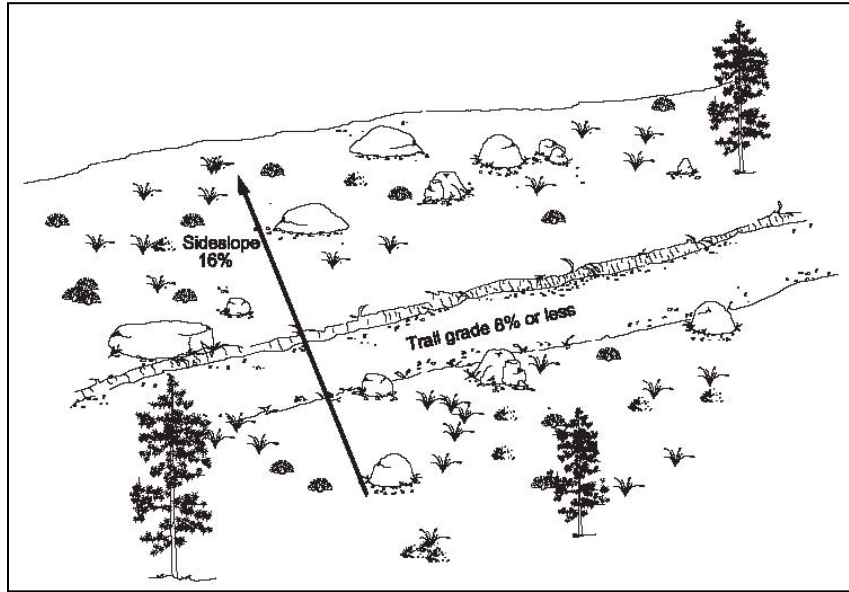


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Use of *Trail Solutions* standards will likely require relocation/realignment of the OST to conform to such items as maximum allowable grade. An example is “The **Half Rule**:”

This design element is contained in “*Trail Solutions*.” The half rule says that “*the trail grade should be no more than half the sideslope grade. This rule really helps when putting trails on gentle sideslopes. For example, if you’re working on a hill with a 6-percent sideslope, your trail grade should be no more than 3 percent. If the trail is any steeper, it will be a fall-line trail. Fall-line trails let water funnel down, causing erosion and ruts. As sideslopes get steeper, trails designed using the half rule can be too steep. Use your judgment and knowledge of the particular area.*” Refer to Exhibit 8 below.



**Exhibit 8 - The Half Rule Illustrated**

It is possible that parts of the current alignment may not meet the *Trail Solutions* standards. In those cases, realignment may be necessary and a determination will need to be made whether that can occur within the existing easement or if a modification to the easement(s) is required. The possibility of realignment raises the dilemma of how to deal with the easement as it crosses lands still in private hands. If these private lands are developed, for example, by subdivision into residential properties, the developer would be required to respect the easements as recorded by Mesa County. However, simply respecting the current easement may not allow the OST to be constructed to the *Trail Solutions* standards. Therefore, any implementation plan should include, early on, a project that develops an alignment that allows construction per *Trail Solutions* standards and that can be protected as private lands are developed.

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## Signing

Efforts have been made over time to provide directional signing along the OST. These efforts included installation of Carsonite<sup>®</sup> posts with directional labels affixed and directional signing at the Coffman road trailhead and informational signing at the 28½ Road trailhead.

The desire of citizens who have commented on trail needs stated that updated and more comprehensive signing is needed. Such signing is particularly important for users who are not familiar with the trail. Among the recommendations was to visit the Lunch Loop section of the Tabeguache Trail where comprehensive signing is in place. The signing includes not only directional signing, but also guide signs and warning signs. Signing is also located along the trail providing user information about the geography of the area. Signing similar to the Lunch Loop would enhance the recreational experience along the OST. Following are a representative sample of the signs used on the Lunch Loop.

Located in Appendix I is the publication titled *Recommended Road and Trail Signing for Public Lands* developed by the Colorado Natural Resources Group (CNRG). Use of this document will provide additional guidance in developing a signing plan for the Old Spanish Trail.





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The signing can be customized to fit the vision of the OST and the general area, but must adhere to the principals of trail signing as outlined in *Trail Solutions* and/or the CNRG publication.



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## ACTION PLAN

### Improvements

- Pursue opportunities for the acquisition of properties surrounding the alignment of the Old Spanish Trail
- Improve trailhead directional signage from Highway 50
- Improve wayfinding signage along identified bike routes connecting to the Riverfront and other trail systems
- Improve the existing 28 ½ Road trailhead with fencing to define the parking area, picnic tables, and install improved signage including a kiosk
- Improve the Coffman Road trailhead with a signage kiosk
- Provide improved trail markers and interpretive signage
- Pursue the development of a new trailhead parking area in the 28 ½ Road area (Exhibit 9)
- Pursue funding opportunities for specific improvements (Appendix J)
- Pursue funding for ongoing maintenance
- Ensure appropriate standards are used when constructing, repairing or maintaining the Old Spanish Trail

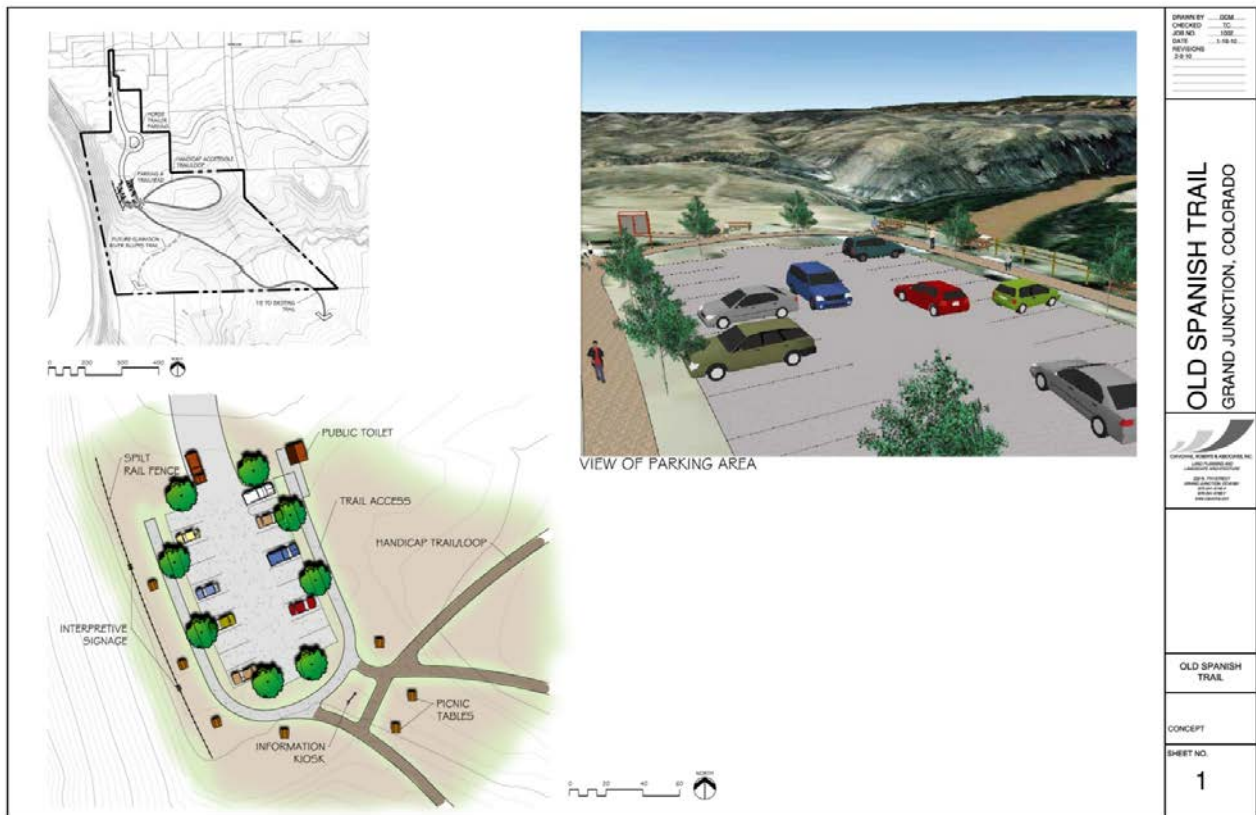


Exhibit 9 – Trailhead Development Concept

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## Preservation

As noted earlier, the OST easement courses through several privately owned properties that should, if possible, be acquired for use as public open space. However, certain properties near the Coffman Road trailhead are included in the Whitewater Community Plan and designated for residential development. These properties are likely not available for acquisition as open space so working with the property owner/developer to preserve the trail is vital. Such efforts could include an agreement with any private property owner to cooperate on identifying a new location for the trail if its current alignment is an impediment to development of the property or the current trail alignment is not suitable for construction to the IMBA standards discussed in the *Trail Standards* section of this document. Any preservation efforts should include, early on, a project that develops a final alignment across private lands that allows construction per Trail Solutions standards.

## Stewardship

- Identify an organization to have oversight of the Old Spanish Trail Plan implementation. Explore partnerships with Mesa County, City of GJ, BLM, Friends of Colorado Canyons, COPMOBA, OSTA, Riverfront Commission and perhaps others not yet known.
- Continue to participate in the BLM's Dominguez-Escalante NCA planning process to identify opportunities for the Gunnison River Bluffs trail and connections to the south.
- Manage the Old Spanish Trail corridor as a no-shooting area.
- Organize regular trail maintenance, utilizing volunteers and other organizations. All improvements and maintenance will be in accordance with the referenced trail standards and inspected by Mesa County.

## Civic Engagement

Due to past planning efforts, Grand Junction and Mesa County realize the importance of gathering information from the public and using that information to inform planning decisions (Regional Transportation Plan; Orchard Mesa Neighborhood Plan). This awareness continues in the Old Spanish Trail Taskforce, and manifests through a commitment to engage and respond to the Grand Junction and Mesa County public, as their needs and wishes pertain to the 7-mile segment of the Old Spanish Trail. With past public involvement efforts in mind, this report recommends the following civic engagement efforts:

- Continue local efforts to include users and nearby residents in trail planning and stewardship.
- Partner with Volunteers for Outdoor Colorado's (VOC) Crew Leader Training program and Western Colorado Conservation Corps for trail maintenance work.
- Work with local recreation groups such as COPMOBA to develop the trail as a local and regional asset.

# THE OLD SPANISH TRAIL

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## Civic Engagement Strategy

### Desired Outcome & Goals

- Desired outcome of public participation: public support for the 7-mile segment of the Old Spanish Trail in Mesa County
- Project Goals aligning with public participation:
  - **Energize the community** around the preservation, conservation and use of the trails and associated public lands.
  - **Solidify our community** around the idea of preserving and conserving the trails not only for the history and heritage involved, but to also leave this important recreation amenity for future generations.
  - **Develop the vision** of what these trails want to be when they “mature” and who they want to serve.
  - **Develop new ideas and opportunities** for developing a properly located trailhead for the north end of the Old Spanish Trail south of US highway 50 in the Orchard Mesa area of Grand Junction.
  - **Develop plans** for interpretive signage for the trails.
  - **Identify a preferred route**, or routes, from the Old Spanish Trail trailhead on Orchard Mesa to the Riverfront Trail along the Colorado River.
- Key Components of Civic Engagement: Inform, Consult, Involve

### Inform

Informing the public, means providing them with information to assist them in understanding the project. These type of civic engagement takes the “We’ll keep you informed” approach by primarily using broadcast communications materials and events:

- Websites
- Newsletters
- Fact sheets
- Open houses

### Consult

Consulting takes civic engagement deeper, gathering the public’s feedback on analysis, alternatives, and decisions. It ensures that the planning team will acknowledge the public’s concerns and ideas and let them know how their input influenced the team’s decision. Tools to consider in consulting with the public include interactive outreach methods, such as:

- Public comment
- Focus groups
- Surveys
- Public meetings

### Involve

Public Involvement will yield the most meaningful and useful results in developing a plan, as it gives the public ownership. Whoever is charged with further development of the Old Spanish Trail should work

# THE OLD SPANISH TRAIL

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directly with the public to ensure their ideas and concerns are understood and considered. Here, the public has the greatest opportunity to gain trust in the planning process. Using involvement, the public will be reassured by the interaction.

## *Level of Engagement*

In August of 2010, the Rivers, Trails & Conservation Assistance program surveyed the Taskforce to determine what type and level of public participation was most appropriate for both the Grand Junction & Mesa County community and the capacities of the Taskforce. While all levels of civic engagement described earlier will yield adequate results for the Taskforce, it is best that the Taskforce focus most of their efforts in **consulting** the public since their need and capacity for public participation is moderate (see Survey Results below).

## *Taskforce Public Participation Survey Results*

- Public participation need is **Moderate**
- Public participation capacity is **Moderate**
- Top 5 Outreach & Participatory Activities:
  - Outdoor recreation activities
  - Websites
  - Community Events
  - School Events
  - Workshops
- Tasks the Taskforce could support:
  - Partnership Building
  - Volunteer or In-kind services
  - Materials
  - Funding
  - Media
  - Graphic Design
  - Grant Writing

## *Recommended Activities*

### **1. Adoption of Plan/Ribbon-Cutting Event**

#### *Activities*

- Ceremony of adoption by Mesa County, Grand Junction, etc.
- Hike the trails
- Trail Clean-Up

#### *Invitees*

- Public
- Potentially Affected Interests (PAI) list
- Congressional Representatives
- OST Chapter
- Media
- HOAs



# THE OLD SPANISH TRAIL

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## *Marketing*

- Ads in paper & website
- Email list

## **2. Webpage that fields public comments**

- A webpage can be created to field public comments on proposed trail improvements and activities

## **3. Public Awareness Events**

### *Activities*

- Hike or bike the trails
- Project information: goals, process, etc.
- Environmental education

### *Invitees*

- Public
- Potentially Affected Interests (PAI) List
- Media

### *Marketing*

- Ads in paper & website
- PAI list

## **4. Trail Cleaning Events**

### *Activities*

- Clean or maintain the trails
- Hike or bike the trails
- Project information

### *Invitees*

- OSTA – Leader of events
  - Work within their existing trail maintenance schedule
- Western Colorado Conservation Corps
- Volunteers for Outdoor Colorado
- Public
- Taskforce
- Media
- Youth

### *Marketing*

- Advertisements in the paper, websites such as Old Spanish Trail Association, Mesa County, Volunteers for Outdoor Colorado, etc.
- Email list

## **5. Hike the Trails**

### *Activities*

- Work with schools to arrange hikes & learning opportunities on the trails (i.e. drawing, journaling, etc.)

# THE OLD SPANISH TRAIL

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## 6. Public Surveys

- Develop vision of trail use, location, and interpretation
- Distribution:
  - Flyer at events
  - On-line surveys

## 7. Brochures

## 8. Media Coverage

## 9. Website Updates & Communication

### Youth involvement

In the same public participation survey, the Taskforce identified youth and young adult participation as “high” importance (see Survey Results, Appendix I). Mindful of strategies to sustain the Old Spanish Trail, the Taskforce recognizes the need to cultivate the next generation of trail stewards and promoters. Several activities and venues can engage youth in a meaningful way, encouraging them to not only care for the Old Spanish Trail, but for natural environments and planning efforts at large (see Suggested Activities & Venues below). Western Colorado Conservation Corps provides these types of service-learning employment opportunities to youth ages 14-25 throughout Western Colorado. Crew costs (roughly \$5,400 per week) can be covered through various grant awards, including GOCO/CYCA Youth Corps Initiative, Colorado State Parks Recreation Trails Program (RTP), etc. (see Funding section for more grant opportunities).

### *Taskforce Youth Participation Survey Results*

- The importance of youth & young adult participation is **High**
- Top youth & young adult Outreach & Participatory Activities:
  - Websites
  - School Events
  - Outdoor recreation activities

### *Suggested Activities & Venues*

#### *Activities*

- Experiential Learning
- Helping the Taskforce to reach their goals
- Promoting the Old Spanish Trail as a recreation destination

#### *Venues*

- Outdoor Classrooms
- Service Learning
- Outdoor Recreation Activities
- Restoration Projects
- Scientific field studies
- Environmental Education
- Conservation Project Planning

1

PAGE DOCUMENT

1758687 0315PM 05/29/96  
NONIKA TODD CLK&REC MESA COUNTY CO  
DOC EXEMPT  
COC-57892

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

EXCLUSIVE TRAIL EASEMENT

For the true and actual consideration of the sum of \$10.00,  
receipt of which is hereby acknowledged,  
Book 2236 PAGE 188

Patsy M. Johnson and John Johnson  
as husband and wife,

hereinafter called Grantor, whether one or more, does hereby  
grant to the UNITED STATES OF AMERICA and its assigns, a  
perpetual exclusive easement to locate, construct, use, control,  
maintain, improve, and repair a hiking and horse trail over and  
across the following described real property situated in Mesa  
County; State of Colorado, to wit:

A parcel of land lying in the S1/2 SE1/4 NW1/4 of  
Section 31, Township 1 South, Range 1 East, of the Ute  
Principal Meridian, said parcel being all that portion  
of said property contained in a strip of land 20 feet  
in width being parallel and congruous to the easterly  
most boundary of parcel 1, as shown on the attached  
Exhibit A as "TRAIL EASEMENT".

The easement to which the above description applies contains  
0.40 acres more or less.

The easement herein granted is for full use of the above  
described property as a foot, bicycle and horse access trail by  
the UNITED STATES OF AMERICA, its licensees and permittees,  
including the right of access for the people of the UNITED STATES  
OF AMERICA for all lawful and proper purposes subject to  
reasonable rules and regulations of the Secretary of Interior.  
Grantor reserves the right of ingress and egress over and across  
the road for all lawful purposes: Provided, that such use shall  
not interfere with the easement granted herein: provided,  
further that the use of the roadway by grantor for any commercial  
use or any ancillary use thereto shall be subject to Title V of  
the Federal Land Policy and Management Act of 1976 (90 Stat.  
2743-2794) and regulations issued thereunder.



COC-57892

The grant of easement made herein is subject to the effect of reservations and leases, if any, of oil, gas, and minerals in and under said land.

TO HAVE AND TO HOLD said easement unto the UNITED STATES OF AMERICA and its assigns forever.

Grantor covenants and warrants that she is lawfully seized and possessed of the land aforesaid and has full right, power and authority to execute this conveyance, and that said land is free and clear of liens, claims or encumbrances, except as shown above and that she will defend the title to the easement conveyed herein and quiet enjoyment thereof against the lawful claims and demands of all persons.

Accepted subject to approval of title by the department of Justice:

Dated this 4<sup>th</sup> day of April, 19 96

*Richard Sullivan*  
District Manager

*Patsy M. Johnson*  
Patsy M. Johnson

*John Johnson*  
John Johnson

ACKNOWLEDGEMENT

STATE OF COLORADO )  
COUNTY OF MESA ) ss.

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of April, 19 96 by Patsy M. Johnson, known to me to be the person who executed the foregoing grant of easement and acknowledged to me that she executed the same as a free and voluntary act and deed, for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

*N. Helen Malig*

Notary Public in and for the State of Colorado

Residing at Grand Junction, Colo.

My Commission expires: 5/16, 19 96





GRANT OF EASEMENT

This Grant of Easement made this 22<sup>nd</sup> day of July, 1992, by and between Lottie Ostrager, 1980 South Ocean Drive, Hallandale, Florida 33009 ("Grantor"), and The County of Mesa, State of Colorado, P. O. Box 20,000-5001, Grand Junction, Colorado 81502, ("Grantee"):

In exchange for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys to Grantee a perpetual exclusive easement, sixty (60) feet in width, more particularly described below, on, over, upon, through and under parcels of land presently owned by Grantor. Such parcels are located in Mesa County, Colorado, Section 31, Township 1 South, Range 1 East of the Ute Meridian, and in Sections 5, 6, 9, 10 and 11 of Township 2 South, Range 1 East of the Ute Meridian, and are more particularly described in a deed recorded in Book 1903, at Page 94, in the records of the Mesa County Clerk and Recorder's Office.

The easement centerline is located on the historic wagon track between Grand Junction and Whitewater, which is described in the Mesa County Road Book 1, at Page 142, shown on the road plat recorded in Book 1, at Page 6, and accepted by the Board of County Commissioners in Commissioner Record Book 1, at Page 205. A copy of Page 142 of County Road Book 1 is attached hereto as Exhibit A to describe said centerline. The exact location of this easement shall be determined as set forth below when the Grantee determines to develop public uses.

The purposes and uses of the easement are for the construction, improvement, operation and maintenance of public roads, public utilities and irrigation systems on, over, upon and through the above-described land.

The parties agree that any use shall generally follow the course of the road described in Exhibit A; however, the actual road developed may vary from the exact courses and distances called out.

Grantee does not have to, nor can Grantee be compelled to, open, build, use, operate or maintain a public road on the described right-of-way. However, when the Grantee does so open such road, its road use shall be perpetual and exclusive.

Grantee shall be responsible for all costs involved in the construction of any project and any operations undertaken by Grantee.

Grantor hereby reserves the right to use the easement premises in any manner which will not prevent or interfere with the exercise by the County of the rights granted hereunder; provided, however, that the Grantor shall not obstruct, or permit to be obstructed, any easement premises at any time, whatsoever, without the express prior written consent of the Grantee. Grantor reserves and shall have the right to sell the property underlying the right-of-way, subject to the rights specifically granted herein, and that such sale, shall be subject to the grant of rights hereunder.

The parties agree that the Grantee may undertake, at its sole expense and cost, a resurvey of the easement. Grantor shall consent to reasonable variations from the description set forth in the attached Exhibit A. Such consent shall not be unreasonably withheld. Such resurvey may be recorded as the correct description of the easement granted hereunder.



The parties recognize that the easement may be subject to other claims of public right-of-way, the validity of which has not been determined. Grantor does not warrant title to the premises in which the foregoing easement is granted and does not undertake to defend the Grantee in the peaceful enjoyment thereof, except against interference and such enjoyment by the Grantor, her heirs, successors and assigns.

This indenture and the conditions contained herein shall run with the land and be binding upon the respective grantees, licensees, lessees, heirs, successors and assigns of the party.

IN WITNESS WHEREOF, the parties have entered into this Agreement the day and date first written above.

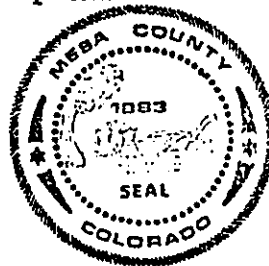
Lottie Ostrager  
Lottie Ostrager FL D/L 0Y36-520-17-601-0  
EXP: 3-21-98

MESA COUNTY BOARD OF COUNTY COMMISSIONERS

By: [Signature]  
Chairman Jim Spehar

ATTEST: ATTESTING TO COUNTY OFFICIALS  
SIGNATURES ONLY

Monika Todd  
Monika Todd  
Mesa County Clerk and Recorder



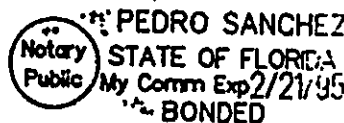
STATE OF FLORIDA )  
COUNTY OF Broward ) ss.

27th The foregoing instrument was acknowledged before me this day of July, 1992, by Lottie Ostrager.

WITNESS my hand and official seal.

My commission expires: 2/21/95

[Signature]  
Notary Public



3789

Description of County Road leading from the south end of the State Bridge to the Whitewater Station Mesa Co. Colorado. Commencing at a point whence a stake at south end of bridge site marked 9 + 46 bears N. 36° 15' E. 80 ft and running thence as follows: (Variation 15° East)

Course	Distance	Remarks
S 55° 30' E.	1500 ft	No land corners could be found near the starting point
S 66° 15' E.	2100 ft	intersecting line 206 ft south of center of section 28 T4S R17E
S 45° 15' E	4445.	To a point whence the S. 7th Cor. of Sec 30 T4S R18E bears N. 77° 15' W 786 ft thence
same course	4100	
S. 45° 15' E.	500	
S 18° 45' E.	1110	
S 47° 20' E	880	
S 4° 30' E	2554	
S 52° 45' E.	1010	
S. 60° 30' E.	2120	whence the S. E. Cor 11th Section 6 T4S R28E bears N. 28° 45' E. 370 ft thence
S. 58° 30' E.	1996	
S. 58° E.	3584	
S. 52° 30' E	5320	
S 49° 30' E	2560	
S. 38° E	1600	
S. 52° 40' E.	445	
East	571	to the N.E. Cor. 17th Sec 14 T4S R28E
S. P. 1. E.		thence east along said line to the N.E. Cor 17th Sec 14 T4S R28E

I certify the above to be correct to the best of my knowledge and belief

A. J. McCune  
Deputy County Surveyor  
Mesa Co. Colorado

Filed for record June 21st 1886 at 2:40 o'clock P.M.  
J. A. Layton Recorder

Recorder's Note: Poor Legibility On Document Provided For Recording.







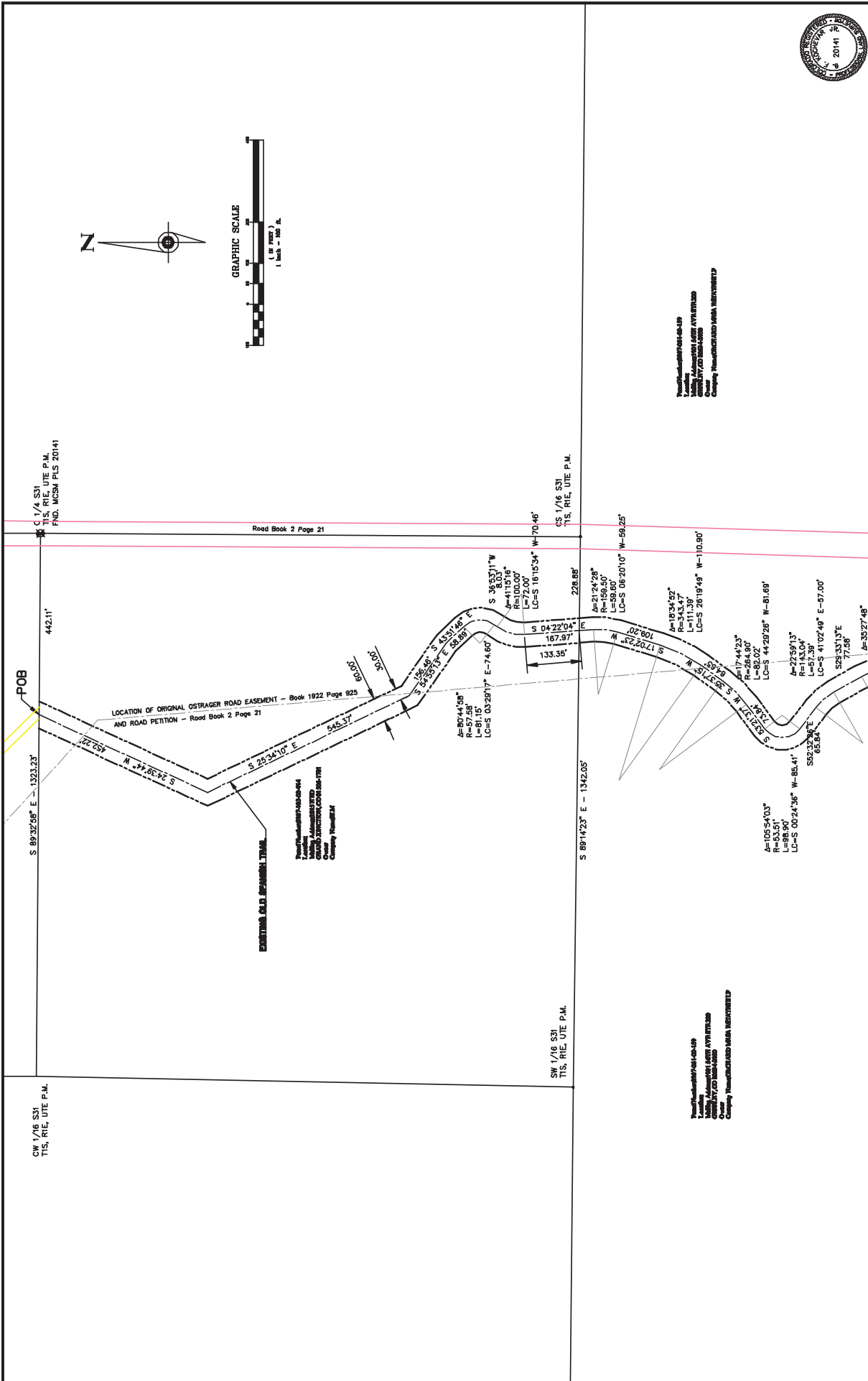
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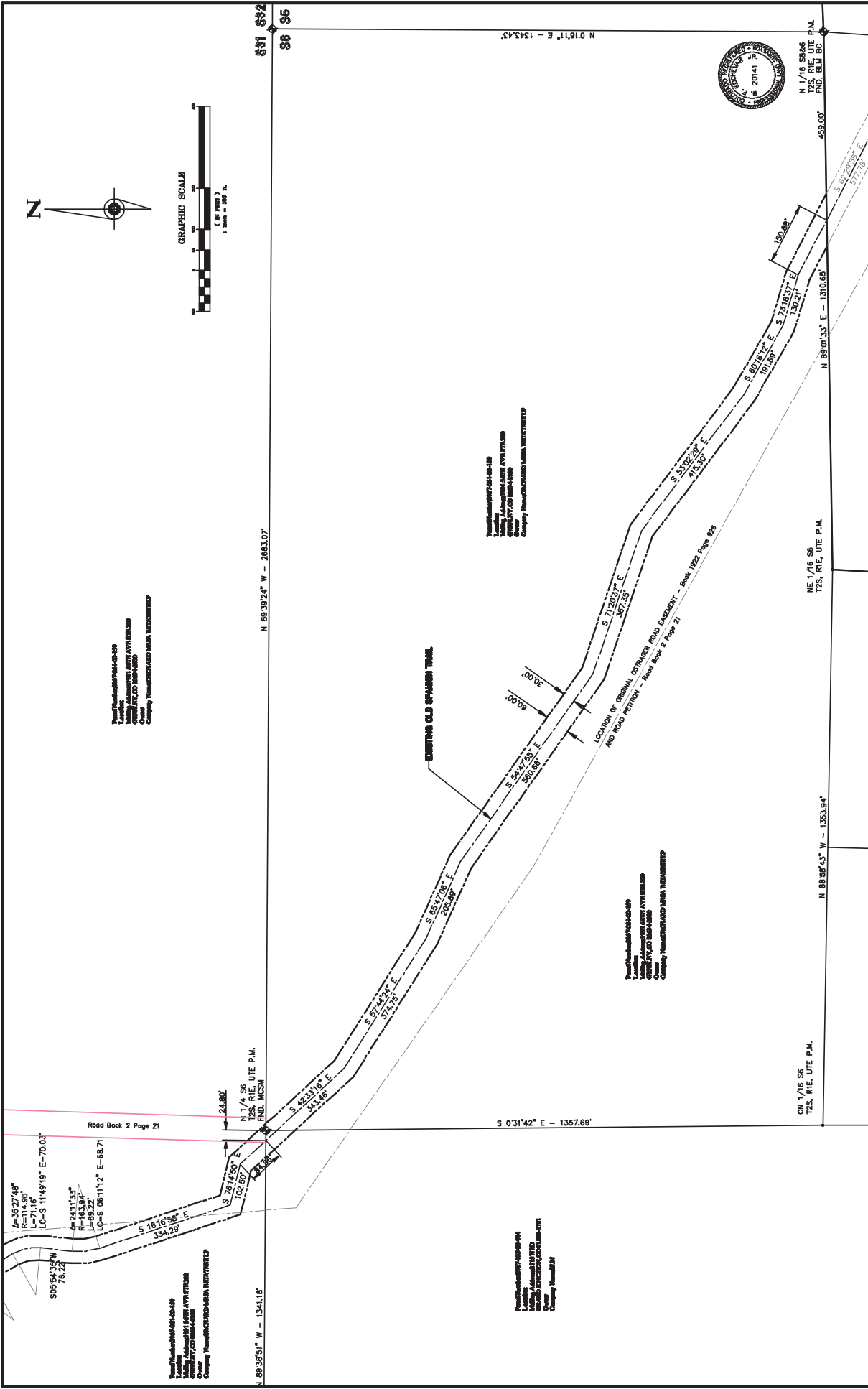
EXISTING OLD SPANISH TRAIL ALIGNMENT/ROW  
 AND OSTRAGER ROAD EASEMENT.  
 841THARE AND 842, THS, RIE, UTE P.M.  
 MESA COUNTY, COLORADO



# MESA COUNTY DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION / SURVEY SECTION

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DESIGN	—	DATE	—	HORIZ. 1"=100'	VERT. —
CHECKED	—	DATE	—	ORTHO	DATE: —
APPROVED	—	DATE	—	DATE	—





**MESA COUNTY DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION / SURVEY SECTION**

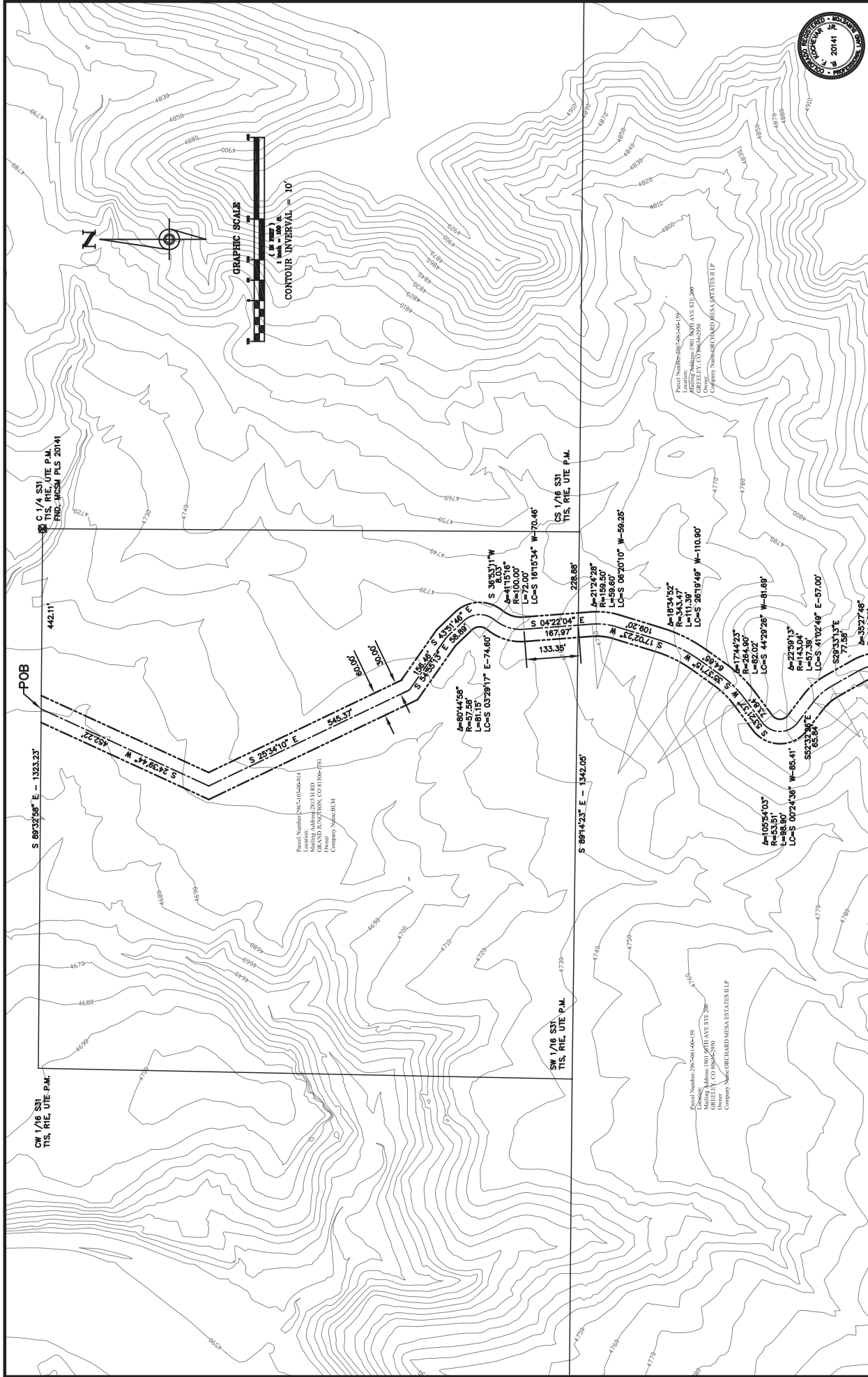
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MESA COUNTY, COLORADO**

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DESIGN	HORIZ.	HORIZ.	FIBER/SECTIONAL/DWG
CHECKED	DATE	DATE	PROJECT NO. 2006-19
APPROVED	DATE	DATE	

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SHEET 2 OF 3  
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 PROJECT NO. 2006-3

**EXISTING SPANISH TRAIL ALIGNMENT/ROW  
 S31, T1S, R1E AND S6, S8, S9, & S10, T2S, R1E  
 UTE P.M. MESA COUNTY, COLORADO**



**MESA COUNTY DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION / SURVEY SECTION**

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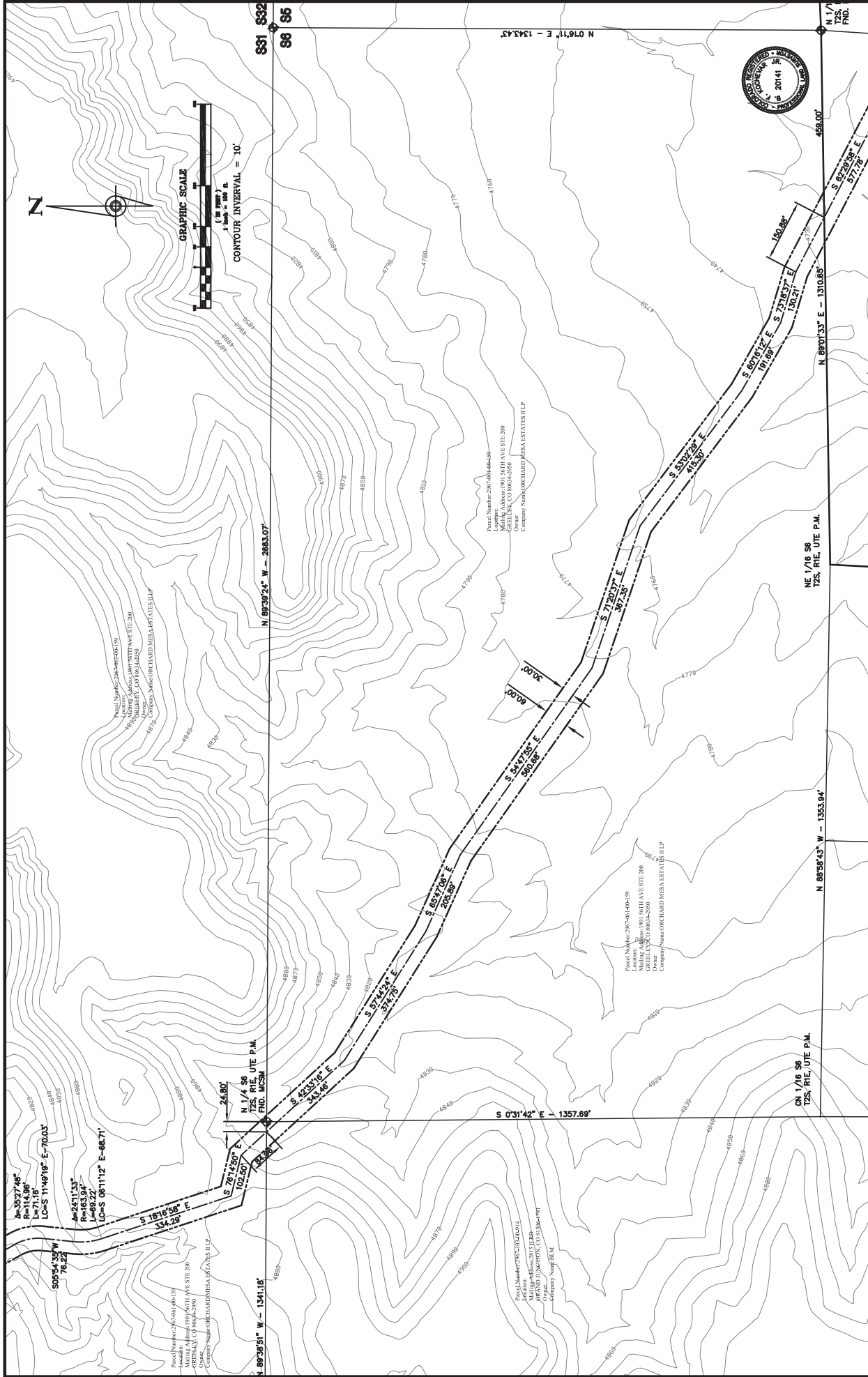
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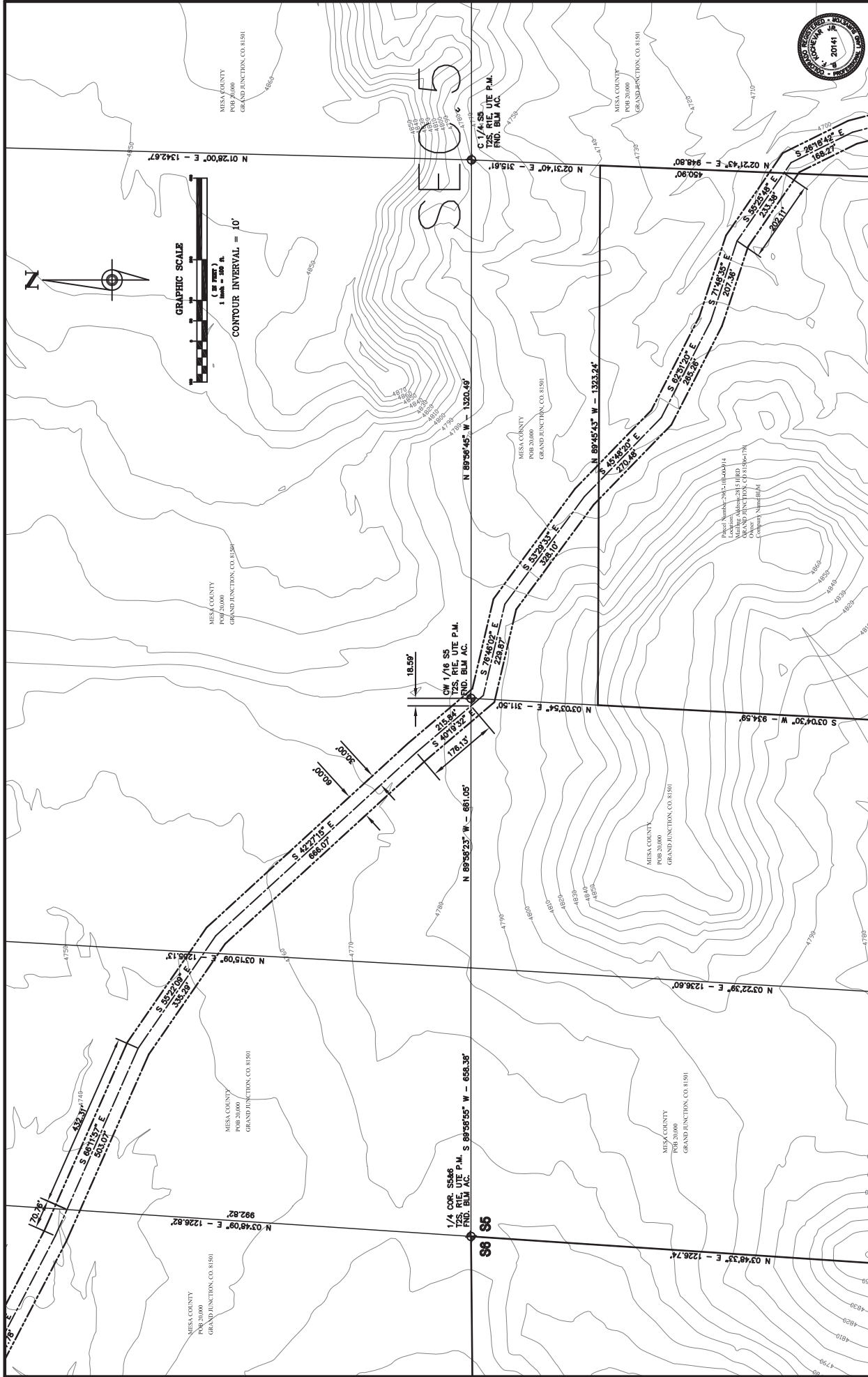
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UTE P.M. MESA COUNTY, COLORADO**

**MESA COUNTY DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION / SURVEY SECTION**

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**UTE P.M. MESA COUNTY, COLORADO**

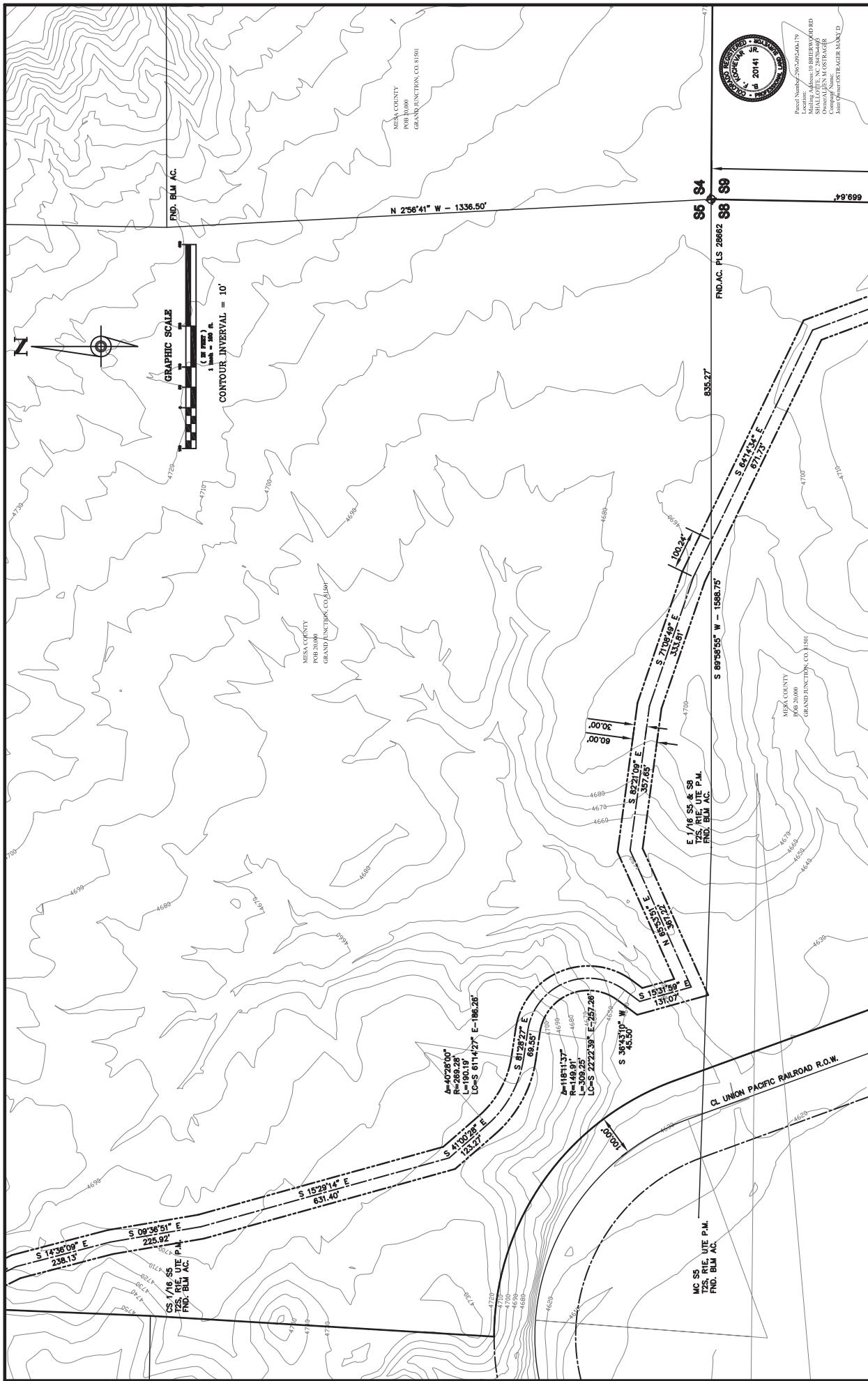
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**MESA COUNTY DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION / SURVEY SECTION**

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 PROFILE HORIZ. 1"=100'  
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REVISION _____	DATE _____	DATE _____	DATE _____	DATE _____	DATE _____
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Project Number: 206-076-041-179  
 Mailing Address: 10 BREWER ROAD RD  
 GRAND JUNCTION, CO 81501  
 Company Name: JAMES M. OSTERLAKER  
 Joint Professional Engineer License No. 20141

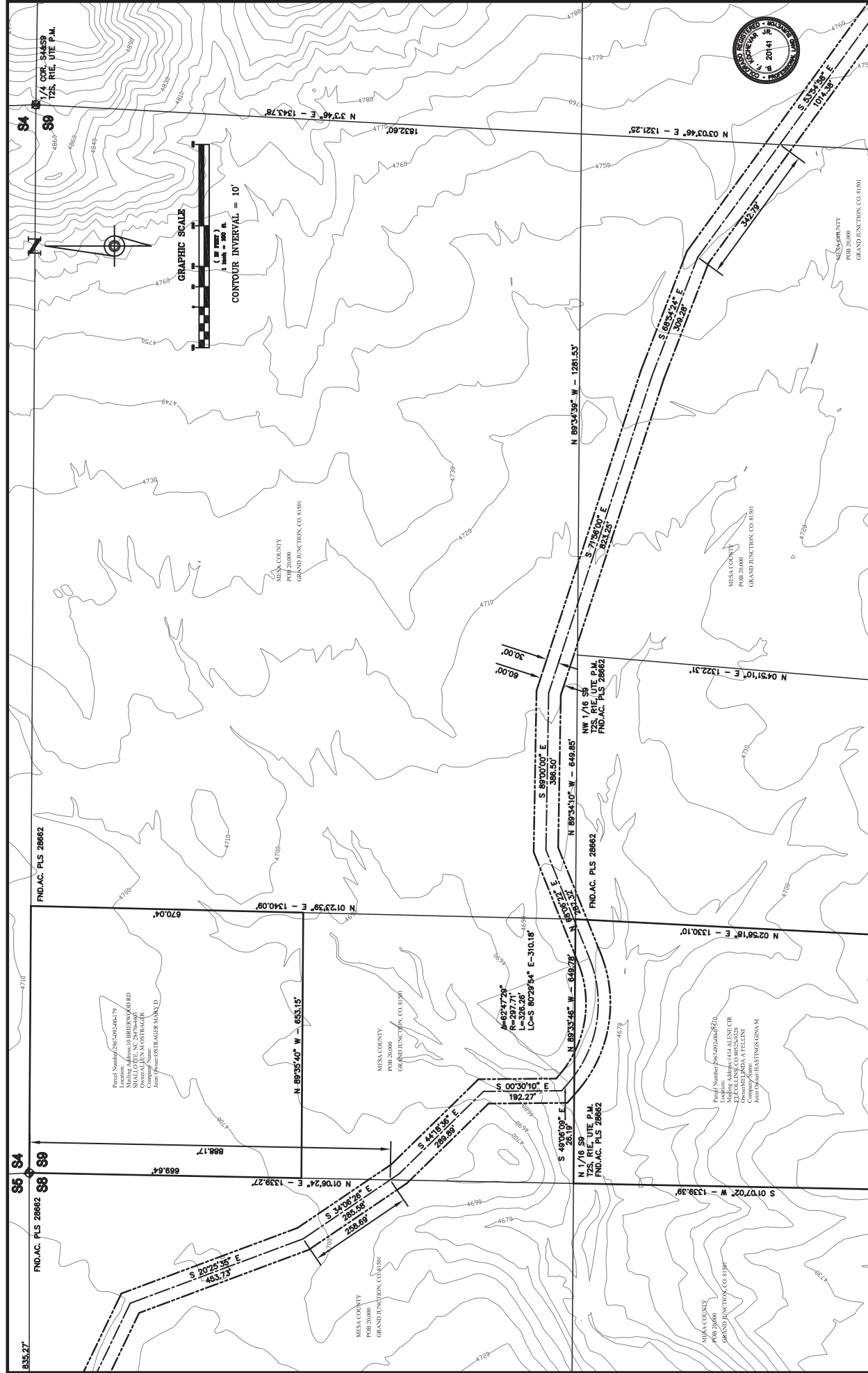
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**UTE P.M. MESA COUNTY, COLORADO**



**MESA COUNTY DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION / SURVEY SECTION**

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**EXISTING SPANISH TRAIL ALIGNMENT/ROW**  
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**UTE P.M. MESA COUNTY, COLORADO**

**MESA COUNTY DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION / SURVEY SECTION**

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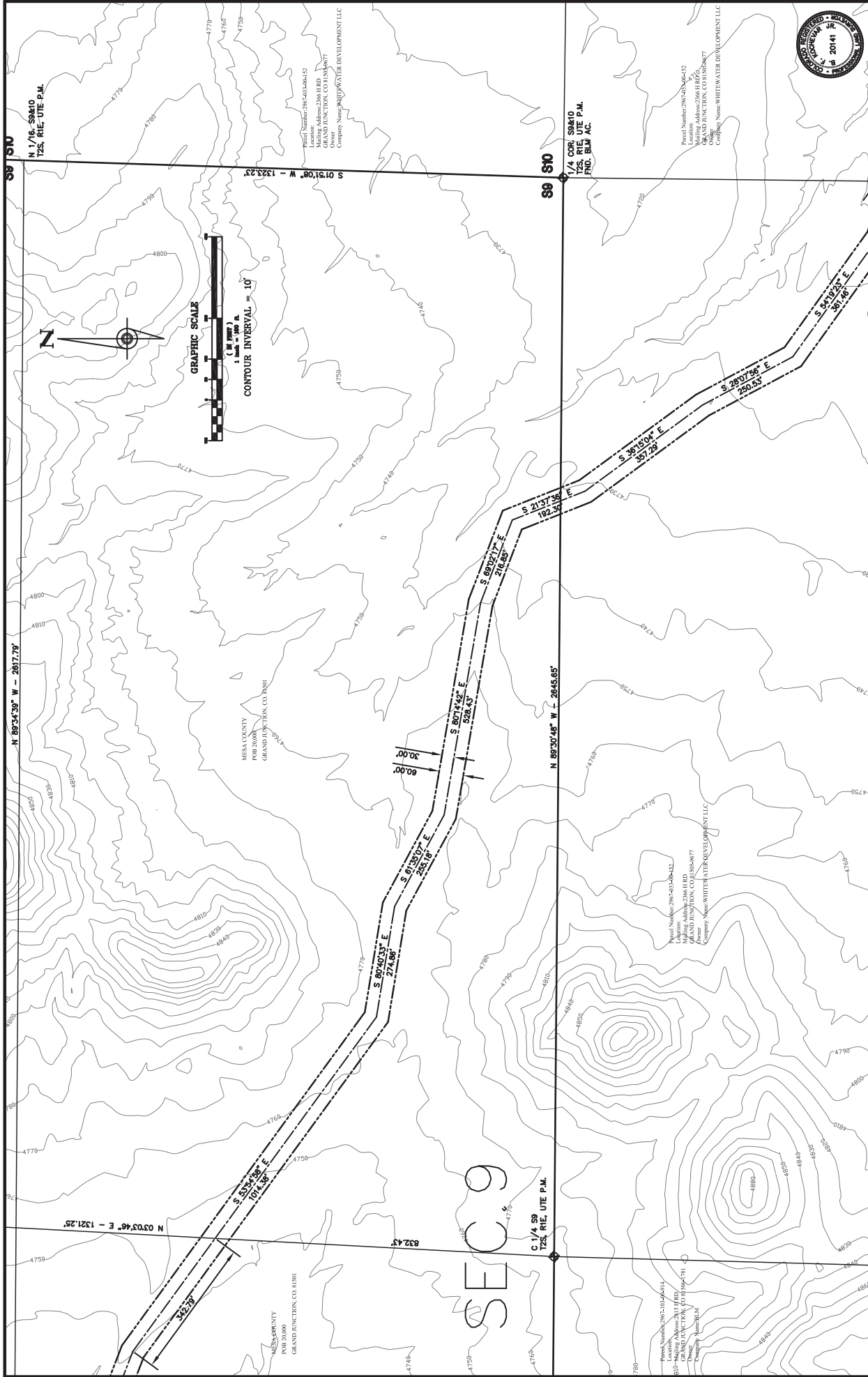
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**DATE:** 2014

**PROJECT NO. 2008-5**



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**UTE P.M. MESA COUNTY, COLORADO**

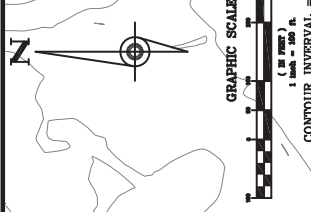
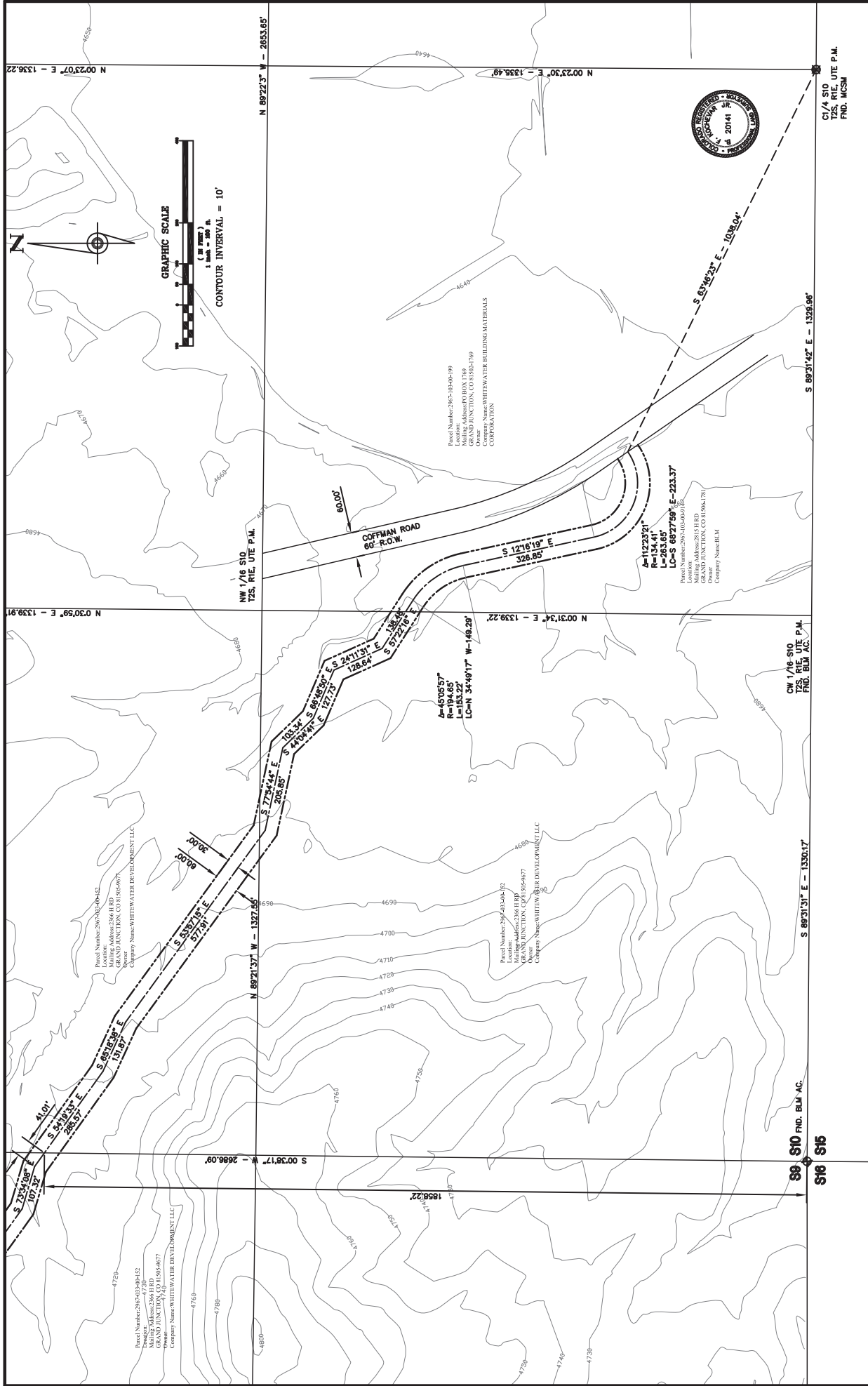
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**MESA COUNTY DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION / SURVEY SECTION**

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 Owner: WHITEWATER BUILDINGS MATERIALS CORPORATION

Printed Number: 2967-010-040-10  
 Location: GRAND JUNCTION, CO 81506-709  
 Owner: WHITEWATER BUILDINGS MATERIALS CORPORATION

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 Owner: WHITEWATER BUILDINGS MATERIALS CORPORATION

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 Location: GRAND JUNCTION, CO 81506-709  
 Owner: WHITEWATER BUILDINGS MATERIALS CORPORATION

Printed Number: 2967-010-040-10  
 Location: GRAND JUNCTION, CO 81506-709  
 Owner: WHITEWATER BUILDINGS MATERIALS CORPORATION

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<b>MESA COUNTY DEPARTMENT OF PUBLIC WORKS</b> <b>ENGINEERING DIVISION / SURVEY SECTION</b>											
<b>EXISTING SPANISH TRAIL ALIGNMENT/ROW</b> <b>S31,T1S,R1E AND S5,S6,S8,S9,&amp;S10, T2S, R1E</b> <b>UTE P.M. MESA COUNTY, COLORADO</b>											
SHEET <u>  </u> OF <u>  </u> PLANSUBMITTAL.DWG PROJECT NO. 2008-3											

2

COC-60155

DEED OF CONSERVATION EASEMENT  
FOR  
OSTRAGER PROPERTY ON THE GUNNISON RIVER

NOTICE: This property has been acquired in part with a grant from the State Board of the Great Outdoors Colorado Trust Fund. This deed contains restrictions on the use and development of the property which are intended to protect its open space values. The State Board of the Great Outdoors Colorado Trust Fund (the Board) has found that the adoption of these deed restrictions is in the public interest.

THIS DEED OF CONSERVATION EASEMENT

is made this 14 day of JANUARY, 1997

by Lottie Ostrager, Nadine Ostrager, Eric Ostrager, Robert Ostrager, Allen Ostrager, Mary Ostrager, and Nadine Ostrager as personal representative of the Estate of Richard I. Ostrager, deceased, , having an address at 1048 Independent Avenue, Suite A-201, Grand Junction, Colorado 81505 ("Grantor"), in favor of the U.S. Bureau of Land Management (BLM) ("Grantee").

WITNESS THAT:

WHEREAS, Grantors are the sole owners in fee simple of certain real property in Mesa County, Colorado, (the Property) described as:

- T2S, R1E, Ute PM
- Section 8: Lots 4, 5, 6, and 7
- Section 9: SW1/4NW1/4NW1/4, E1/2SW1/4NW1/4
- Section 16: NW1/4NW1/4
- Section 17: Lot 1

(Total, 206.93 acres)

WHEREAS, the Property possesses Conservation Values (e.g. natural, scenic, wildlife habitat, open space, recreational, historical) of great importance to Grantors, the people of Mesa County, and the people of the State of Colorado.

WHEREAS, in particular, the Property contains one and one half miles of shoreline frontage on the Gunnison River, several miles of recreational trails that link public access from adjacent lands, historical value as part of the Old Spanish Trail (northern branch), scenic open space, and is an inholding within the Gunnison River Bluffs open space area (a Mesa County/BLM planning area designation).

WHEREAS, the specific Conservation Values of the Property are documented in the "BLM Environmental Analysis for acquisition of the Ostrager Property on the Gunnison River" (on file at office of Grantee), and incorporated by this reference, which contains maps, photographs, and other documentation that the parties agree provide, collectively, an accurate representation of the Property at the time of this grant and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant.

WHEREAS, Grantors intend that the Conservation Values of the Property be preserved and maintained by the continuation of land use planning and management associated with the Gunnison River Bluffs area.

WHEREAS, the State of Colorado has recognized the importance of private efforts to preserve land in a natural, scenic, or open condition, and for wildlife habitat and agricultural uses consistent with the protection of open land having wholesome environmental quality, by the enactment of Section 38-30.5-101, et seq., Colorado Revised Statutes 1973, as amended, hereinafter referred to as the Code.

NOW, THEREFORE, for and in consideration of \$156,000.00, Grantor does hereby convey to Grantee a conservation easement in perpetuity, hereinafter referred to as the "Easement", consisting of rights hereinafter enumerated, over and across the Property, subject to terms and conditions set forth herein.

1. Purpose. It is the purpose of this Easement to preserve and protect in perpetuity the scenic, aesthetic, and open space values of the Property, to prohibit the subdivision and residential or commercial development of the Property, and to foster responsible public recreational use of the Property in conjunction with the planning and management of the Gunnison River Bluffs area.

2. Affirmative Rights Conveyed. The affirmative rights conveyed by this Easement to the Grantee are the following:

a. To preserve and protect in perpetuity the scenic and aesthetic features and values of the Property, subject to the terms set forth herein.

b. To encourage, authorize, and manage public use of the Property in conjunction with Gunnison River Bluffs area management.

c. To enter upon the Property to inspect and enforce the rights herein granted.

d. To enjoin any activity on or use of the Property that is inconsistent with the purposes of this Easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent use or activity



3. Permitted Uses and Practices. This Easement shall confine the future use of the Property to public recreational and open space uses and other uses that are not inconsistent with the purposes of the Easement. The following uses and practices, though not an exhaustive recital of consistent uses and practices, are permitted under this Easement:

a. Recreation management actions including the placement of informational signing, identifying trails and special public use areas, surfacing trails as needed to provide for public use, developing and enforcing public use restrictions, and developing public information materials.

b. Wildlife and other natural resource management studies and actions consistent with similar actions on adjacent lands

4. Prohibited uses and Practices. The following uses and practices are inconsistent with the purposes of this Easement and shall be prohibited upon or within the Property.

a. The disturbance or impairment of the open space, scenic and aesthetic features and values within and upon the Property, except as otherwise provided herein.

b. The establishment of any residential, commercial, or industrial uses.

c. The dumping of any kind of trash or refuse on the Property. Grantor further covenants and agrees that it will remove or cause to be removed within a reasonable time any trash or refuse dumped, accumulating or disposed of on the Property, regardless of the source.

d. The mining or extraction of soil, sand, gravel, rock, oil, natural gas, fuel, or any other mineral substance.

e. Any use or activity that causes or presents a substantial risk of causing soil erosion.

5. Enforcement Rights of Grantee. Grantee shall have the right to prevent and correct or require correction of violation of the terms and purposes of this Deed. If Grantee finds what it believes is a violation of this Deed, Grantee shall immediately notify grantors and the Board in writing of the nature of the alleged violation. In the event of a violation of any term, condition, or restriction contained in this Easement, Grantee may institute a suit to enjoin by temporary and/or permanent injunction such violation, or for damages for breach of covenant, or may take such other action as it

deems necessary to ensure compliance with the terms, conditions, and purposes of this Easement; provided, however, that the enforcement of the terms and provisions of this Easement shall be at the discretion of Grantee and any failure to act by Grantee shall not be deemed to be a waiver or forfeiture of the right to enforce any terms, condition, or purpose of this Easement in the future. Any costs incurred by Grantee in enforcing the terms of this easement against Grantors, including, without limitation, costs of suit and attorneys' fees, and any costs of restoration necessitated by Grantors' violation of the terms of this Easement shall be borne by Grantors.

6. Waiver of Certain Defenses. Grantors hereby waive any defense of laches, estoppel, or prescription.

7. Acts beyond Grantors Control. Nothing contained in this Easement shall be construed to entitle Grantee to bring any action against Grantors for any injury to or change in the Property resulting from causes beyond Grantors' control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantors under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

8. Costs and liabilities. Grantors retain responsibilities and shall bear costs and liabilities related to the ownership of the Property, including payment of any taxes and the maintenance of adequate comprehensive general liability insurance coverage. Grantors shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantors.

9. Taxes. Grantors shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Property by competent authority (collectively "taxes").

10. Hold Harmless. Grantors shall hold harmless, indemnify, and defend Grantee and its members, directors, officers, employees, agents, and contractors and the heirs, personal representatives, successors, and assigns of each of them (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands, or judgments, including, without limitation, reasonable attorneys' fees, arising from or in any way connected with : (1) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due solely to the negligence of any of the Indemnified Parties; (2) the presence or release of hazardous or toxic substances on, under, or about the Property. For the purpose of this paragraph, hazardous or toxic substances shall mean any hazardous or toxic substance which is regulated under any federal, state or local law.

11. Notice of Intention to Undertake Certain Permitted Actions.

Grantors shall notify Grantee in writing not less than 60 days prior to the date Grantors intend to undertake any activity on the Property. The notice shall describe the nature, scope, design, location, timetable, and any other material aspect of the proposed activity in sufficient detail to permit Grantee to make an informed judgement as to its consistency with the purpose of this Easement. Grantee's approval may be withheld only upon a reasonable determination by Grantee that the action as proposed would be inconsistent with the purpose of this Easement.

12. Assignment of Grantee's Interest. This easement is transferable, but Grantee may assign its rights and obligations under this Easement only to an organization that is (a) a qualified organization at the time of transfer under Section 170(h) of the Internal Revenue Code of 1954, as amended (or any successor provision then applicable), and the applicable regulations promulgated thereunder, (b) authorized to acquire and hold conservation easements under Colorado law, and (c) approved as a transferee by the Board. As a condition of such transfer, Grantee shall require that the conservation purposes that this grant is intended to advance continue to be carried out. The Board shall have the right to require Grantee to assign its rights and obligations under this Easement to a different organization if Grantee ceases to exist or for any reason fails or refuses to enforce the terms and provisions of this Easement.

13. Notices. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage prepaid, addressed as follows (or to such other address as either party shall designate by written notice to the other):

To Grantors: Mesa County (Ostrager Property), P.O. Box 20,000, Grand Junction, Colorado 81502-5049

To Grantee: Area Manager, Bureau of Land Management, 2815 H. Road, Grand Junction, Colorado 81506.

To the Board: Executive Director, State Board of the Great Outdoors Colorado Trust Fund, Suite 1150, 225 East 16th Avenue, Denver, Colorado 80203

14. Subsequent transfers. Grantors agree to incorporate the terms of this Easement in any deed or other legal instrument by which they divest themselves of any interest in all or a portion of the Property. The failure of Grantors to perform any act required by this paragraph shall not impair the validity of this Easement or limit its enforceability in any way.



15. Recordation. Grantee shall record this instrument in timely fashion in the official records of the county in which the Property is situated, and may re-record it at any time as may be required to preserve its rights in this Easement.

16. General Provisions.

a. Controlling Law: The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado.

b. Liberal Construction: Any general rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of the grant to effect the purpose of this Easement and the policy and purpose of C.R.S. 38-30.5-101 et seq. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

c. Severability: If any provision of this Easement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

d. Entire Agreement: This instrument sets forth the entire agreement of the parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Easement, all of which are merged herein.

e. No Forfeiture: Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

f. Joint Obligation: The obligations imposed by this Easement upon Grantors shall be joint and several.

g. Successors: The covenants, terms, conditions, and restriction of this Easement shall be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Property.

h. Termination of Rights and Obligations: A party's rights and obligations under this Easement terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

i. Captions: The captions in this instrument have been inserted solely for convenience or reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

j. Amendment: If the circumstances arise under which an amendment to or modification of this instrument would be appropriate, Grantor and Grantee are free to jointly amend this instrument; provided that no amendment shall be allowed that will affect the qualifications of this instrument under any applicable laws; and provided, further, that the prior written approval of the Board shall be required. Any amendment must be consistent with the conservation purposes of this instrument and may not affect its perpetual duration. Any amendment must be in writing, signed by both parties and the Board, and recorded in the records of the Clerk and Recorder of the County in which the Property is located.

k. Change in Circumstances: If circumstances arise in the future wherein the United States determines to terminate or extinguish this Easement, whether in whole or in part, then Grantee hereby covenants and agrees: (i) to notify the Board as soon as reasonably possible of such determination; and (ii) that the Board shall be entitled to 91% of the proceeds, if any, from such termination or extinguishment, subject to the availability of appropriated funds.

l. Termination of the Board: In the event that Article XXVII of the Colorado Constitution, which established the State Board of the Great Outdoor Colorado Trust Fund, is amended or repealed to terminate the Board or merge the Board into another entity, the rights and obligations of the Board hereunder shall be assigned to and assumed by such other entity as provided by law, but in the absence of such direction, by the Colorado Department of Natural Resources or its successor.

TO HAVE AND TO HOLD unto Grantee, its successors, and assigns forever.

Grantor covenants and warrants that they are lawfully seized and possessed of the real property aforesaid and have the full right, power and authority to execute this conveyance, and that said real property is free and clear of liens, claims or encumbrances, except items which may be shown of record, and that they will defend the title to the real property conveyed herein and quiet enjoyment thereof against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the parties have executed this DEED OF CONSERVATION EASEMENT this 11 day of JANUARY, 1997

Signature of Grantors, by C. Douglas Smith, as attorney in fact for Lottie Ostrager, Nadine Ostrager, Eric Ostrager, Robert Ostrager, Allen Ostrager, and Mary Ostrager, whose address is 1048 Independent Avenue, Suite A-201, Grand Junction, Colorado 81505:

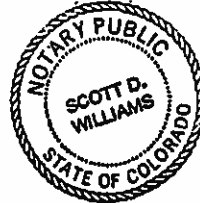
C. Douglas Smith

STATE OF COLORADO )  
 ) ss  
 COUNTY OF MESA )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of January, 1997, by C. Douglas Smith, as attorney in fact for Lottie Ostrager, Nadine Ostrager, Eric Ostrager, Robert Ostrager, Allen Ostrager, and Mary Ostrager.

WITNESS my hand and official seal.

My commission expires: 1/13/99  
 Notary Public: Scott D Williams  
 Address : 205 W. 4th St. Grand Junction



IN WITNESS WHEREOF, the parties have executed this DEED OF CONSERVATION EASEMENT this 13<sup>th</sup> day of January, 1997

Signature of Grantors, by C. Douglas Smith, as attorney in fact for Lottie Ostrager, Nadine Ostrager, Eric Ostrager, Robert Ostrager, Allen Ostrager, and Mary Ostrager, whose address is 1048 Independent Avenue, Suite A-201, Grand Junction, Colorado 81505:

Nadine Ostrager  
Personal Representative of the Estate of Richard I. Ostrager, Deceased

New Jersey  
STATE OF ~~COLORADO~~ )  
COUNTY OF ~~MESSA HANSON~~ ) ss

The foregoing instrument was acknowledged before me this 13 day of JAN, 1996, by Nadine Ostrager, Personal Representative of the Estate of Richard I. Ostrager, Deceased  
WITNESS my hand and official seal.

My commission expires: DELIA MALDONADO  
NOTARY PUBLIC OF NEW JERSEY  
Notary Public: Delia Maldonado  
Address: 1372 Pulverde Ave A Lee NJ





Signature of Grantee: Catherine Robertson  
Area Manager

address: Grand Junction Resource Area  
Bureau of Land Management  
2815 H. Road  
Grand Junction, Colorado, 81506.

STATE OF COLORADO )  
COUNTY OF MESA ) ss

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day  
of JANUARY, 1997, by Catherine Robertson as Area  
Manager, Grand Junction Resource Area, Bureau of Land Management,  
United States Department of Interior.

The United States Department of Interior, Bureau of Land Management  
WITNESS my hand and official seal.

My commission expires: 7-15-99

Notary Public: K.B. Ozga

Address: 673 3 1/2 Rd. Grand Jct, CO 81504



# G.J.R.A. RMP

## AMENDMENT NO. 6

Plan Name - Gunnison River Bluffs

Page - 2-25

Area - Kannah Creek

Chapter Two

Heading - Special Management Areas

Date - August 1997

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(Summarize substance of text material change in amendment document.)

**CHANGE:** Management Actions: 1) The BLM RMP amendment action is to designate about 800 acres of Public land as "closed to motor vehicle use", and to reclassify these 800 acres of Public land from "disposal" to "retention or exchange that would benefit GRB management". 2) The BLM RMP action proposed in the Grand Mesa Slopes area is to reclassify the lower Powerline Road from "closed" to "limited use", with the period of use to accommodate big game hunting during the Colorado big game rifle hunting seasons.

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(Describe the rationale for the above amendment change, include reference material if appropriate, and give reference to location of amendment document)

**REASON:** Summary: As part of BLM involvement in the GRB plan, BLM agreed to pursue amendment of the RMP to close about 800 acres of scattered public lands in the area to motorized vehicle use, and to reclassify these 800 acres of BLM "disposal" lands to 'retention lands or exchange that would benefit GRB management. The EA is found in front of the RMP.

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SIGN & APPROVE AS APPROPRIATE

Program Leader \_\_\_\_\_ Date \_\_\_\_\_

Area P & EC *Daniel P. Stevens* Date 6-5-01

Area Manager \_\_\_\_\_ Date \_\_\_\_\_

# R M P

# A M E N D M E N T

## Gunnison River Bluffs Plan August 1997

Summary: As part of BLM involvement in the GRB plan, BLM agreed to pursue amendment of the RMP to close about 800 acres of scattered public lands in the area to motorized vehicle use, and to reclassify these 800 acres of BLM "disposal" lands to retention lands or exchange that would benefit GRB management.

Management Actions: 1) The BLM RMP amendment action is to designate about 800 acres of Public land as "closed to motor vehicle use", and to reclassify these 800 acres of Public land from "disposal" to "retention or exchange that would benefit GRB management". 2) The BLM RMP action proposed in the Grand Mesa Slopes area is to reclassify the lower Powerline Road from "closed" to "limited use", with the period of use to accommodate big game hunting during the Colorado big game rifle hunting seasons.

## GRAND JUNCTION RESOURCE AREA, ENVIRONMENTAL ASSESSMENT

EA Number: CO-079-7-79

Project Name: RMP Amendment for Gunnison River Bluffs Plan and Powerline Road public access.

### PART I, INTRODUCTION, PROPOSED ACTION

INTRODUCTION: The Gunnison River Bluffs Plan (GRB Plan attached) was developed in 1995 to address public use of Mesa County, BLM, and private lands in the vicinity of the Mesa County Landfill and Lower Gunnison River Canyon. This plan has been adopted by Mesa County. BLM, Mesa County, Grand Junction/Mesa County Riverfront Commission, Spanish Trail Association, and other interest groups have been active in implementation of planned actions including trails, signing, brochures, fencing, developing parking lots, acquiring land and access easements, etc. The GRB area is also part of the adjacent Grand Mesa Slopes (GMS Plan attached), an 80 square mile managed "open space" adopted in 1993. The GMS area has also seen a significant amount of access, trails, signing, land acquisition, and public management projects in recent years.

As part of BLM involvement in the GRB plan BLM agreed to pursue amendment of the Grand Junction Resource Area Resource Management Plan (RMP) to close about 800 acres of scattered public lands in the area to motorized vehicle use, and to reclassify these 800 acres of BLM "disposal" lands to "retention or exchange that would benefit GRB management". The intent of retention of the scattered parcels of BLM is to insure maintenance of scenic open space and public access in the GRB area, in conjunction with adjacent Mesa County ownership and other easements.

The Powerline Road access (see map) is also part of this RMP amendment. The Powerline Road is within the GMS area and is partially within an area of the Town of Palisade Watershed that is closed to public motor vehicle use to protect municipal watershed values. The landowners and managers involved (Mesa County, Ute Water, Town of Palisade, BLM, and other private landowners) have agreed on a plan to allow seasonal motor vehicle access on this road to provide hunting access to the nearby Chalk Mountain area. Alternative access to the Chalk Mountain area was recently lost due to a change in land ownership. The BLM RMP action needed to provide this access is to reclassify the Powerline Road from "closed" to "limited use", with a seasonal restriction that provides for motor vehicle access during the Colorado big game rifle hunting seasons.

PROPOSED ACTION: The BLM RMP amendment action proposed in the GRB area is to designate about 800 acres of BLM land as "closed to motor vehicle use", and to reclassify these 800 acres of BLM land from "disposal" to "retention or exchange that would benefit GRB management".



The BLM RMP action proposed in the GMS area is to reclassify the lower Powerline Road from "closed" to "limited use", with the period of use to accommodate big game hunting during the Colorado big game rifle hunting seasons.

CONFORMANCE WITH LAND USE PLAN: The proposed actions require amendment of the RMP. The proposed actions are the outcome of broader scale land use plans (GMS, GRB) that have been developed in a public forum and have been adopted by Mesa County.

## PART II, DESCRIPTION OF AFFECTED ENVIRONMENT AND IMPACTS

### CRITICAL ELEMENTS REVIEW:

<u>Critical Element</u>	<u>Present</u>	<u>Affected</u>
Air Quality	yes	no
ACEC's	no	no
Cultural Resources	yes	yes
Farmlands, Prime/Unique	no	no
Floodplains	yes	yes
Native American Religious Concerns	no	no
Wilderness	no	no
T&E Species	yes	no
Wastes, Hazardous/Solid	no	no
Water Quality	yes	no
Wetlands, Riparian Zones	yes	yes
Wild & Scenic Rivers	no	no

DESCRIPTION OF AFFECTED ENVIRONMENT: The GRB area is 4600'-4900' in elevation, and is primarily desert shrub and grassland. There is a generally narrow riparian zone of skunkbrush, willow, and a few Cottonwood trees along the Gunnison River. The GRB Plan addresses public use and real estate actions related to a mix of BLM, Mesa County, and private lands in the vicinity of the Mesa County Landfill. A four mile section of the Old Spanish Trail Northern Branch crosses the area. The primary Mesa County interest is in landfill management with appropriate public use of surrounding buffer lands. The "disposal" category for the scattered BLM lands in GRB reflects a past land use situation where there was not a well formulated community interest in the area. Mesa County and other interests have now developed a public use and open space plan for the GRB area that recommends retention of BLM lands in public ownership.

The Powerline Road area is 5300'-6600' in elevation, and is primarily a pinyon-juniper forest with some scattered sagebrush. The lower portion of road is an historic Mesa County public road route that has not been regularly used by the public for probably 60 years. Alternative roads have been developed in the area to serve Town of Palisade and ranching needs. The upper section of the Powerline Road has essentially been used as a private road by the local rancher and Public Service Company of Colorado (to construct and service a major electric transmission line). For

purposes of hunting access the lower and upper Powerline Road is passable and would provide important public access to BLM lands in the Chalk Mountain area. The purpose of the existing closure to public motor vehicle travel is to protect Town of Palisade municipal watershed values. Most of this closure would continue, and the affect of allowing motor vehicle access on the Powerline Road should be negligible since the two road systems would be separated by fences, rocks, and natural barriers, and there would be increased patrol.

DESCRIPTION OF IMPACTS: The Old Spanish Trail in the GRB area would probably be better managed in public ownership and in conjunction with management of adjacent Mesa County and private lands. The same would probably be true for the floodplain-wetlands-and riparian zones along the Gunnison River.

Bald eagle occasionally fly over and use the GRB/GMS area. The Gunnison River is considered habitat for the four Colorado River endangered fish species: Colorado squawfish, Razorback sucker, Bonytail chub, and Humpback chub. There are some scattered *Sclerocactus glaucus*, a small barrel cactus, in the GRB area. For all of these threatened and endangered species the proposed action, in conjunction with management of adjacent lands, should prevent adverse affects on the habitat for these species.

The primary impact of the proposed action on GRB would be long term ability to manage and plan for public use and protection of natural resources in the area in a collaborative manner with Mesa County, other private landowners, and public interest groups. The surrounding Mesa County and private lands are already closed to public motor vehicle use so there is essentially no legal access to the BLM lands involved. Closure of BLM lands to motor vehicle use would create consistency with management of adjacent lands and with the GRB Plan.

The primary impact of opening the Powerline Road to public motor vehicle access during Colorado big game rifle hunting seasons would be the re-establishment of reasonable access to about 8,000 acres of BLM land in the Chalk Mountain area. There would also be some reduced business value to the hunting outfitter who recently bought private land and closed the historical public access to the Chalk Mountain area.

PART III, CONSULTATION AND COORDINATION

Bluffs Plan

PERSONS/AGENCIES CONSULTED: Colorado Division of Wildlife, Mesa County, Ute Water, Powder Mountain Ranch, Lloyd Ranch, Town of Palisade, hunting interest groups, Grand Mesa Slopes Advisory Group. There were no comments on the Proposed Action BLM Federal Register Notice.

Reviewers Names, Resource/Concern, Date:

<u>Joe J. Asher</u>	<u>Recreation</u>	<u>6-25-97</u>
<u>Ross Lambert</u>	<u>Wildlife</u>	<u>6-25-97</u>
<u>David P. Stevens</u>	<u>NEPA Compliance</u>	<u>6-24-97</u>

Preparer Name, Title, Date:

<u>Colin Froy</u>	<u>Realtv Specialist</u>	<u>June 20, 1997</u>
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PART IV, FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD

I have reviewed this environmental assessment and have determined that the Proposed Action would have no significant impacts on the human environment, and an environmental statement is not required. This proposed RMP amendment reflects land use planning and decisions made in a public forum, including the Mesa County planning and approval process. It is my decision to implement the proposed action.

Catherine Reuter  
 Recommended: Grand Junction Resource Area Manager

6/27/97  
Date

Paul Abbey  
 Approved: BLM Colorado State Director

8-7-97  
Date

Attachments:

- 1) Gunnison River Bluffs Public Use Plan
- 2) Grand Mesa Slopes Management Plan
- 3) Powerline Road map
- 4) Mesa County letter of support
- 5) BLM Federal Register Notice



**Bureau of Land Management  
Grand Junction Field Office**

**CRITERIA FOR THE PLACEMENT OF TRAILS**

The following criteria are used to determine suitable locations for new trails and trail reroutes within the Grand Junction Field Office management area. This document utilizes terminology from the “Recommended Standardized Trail Terminology for Use in Colorado.” (COTI 2005)

These criteria are to be followed as guidelines. Not all of the criteria can be met on every segment of every trail. Their purpose is to help create sustainable, low maintenance trails that provide quality recreation experiences based on predetermined trail management objectives (TMOs). Specialty trails requiring higher maintenance may be allowed in appropriate locations.

**1. Know and understand trail management objectives.** TMO’s provide the framework for what the trail will look like, who will be using the trail, and how the trail will be managed. Different TMO’s may allow different applications of the criteria below.

**2. Create loops and avoid dead end trails.** All trails should begin and end at a trailhead or another trail. A well-planned stacked loop trail system offers recreationists a variety of trail options. Easier, shorter loops are arranged close to the trailhead, with longer, more challenging loops extending further beyond the trailhead. Occasionally, destination trails to a point of interest will require an out and back trail, but only if they cannot be reasonably incorporated into a loop.

**3. Identify control points and use them to guide trail design and layout.** Control points are specific places or features that influence where the trail goes. Basic control points include the beginning and end of the trail, property boundaries, intersections, drainage crossings, locations for turns, and other trails.

Positive control points are places where you want users to visit, including scenic overlooks, historic sites, waterfalls, rock outcroppings, lakes, rivers and other natural features or points of interest. If the trail does not incorporate these features, users will likely create unsustainable social trails to get to them.

Negative control points are places you want users to avoid, such as low-lying wet areas, flat ground, extremely steep cross slopes or cliffs, unstable soils, environmentally sensitive areas, sensitive archaeological sites, safety hazards, and private property.

Knowing these control points provides a design framework. Try to connect the positive control points while avoiding the negative control points.

**4. Use cross slope and avoid flat ground whenever possible.** The trail tread should generally run perpendicular to the cross slope and should utilize frequent grade reversals. This is the best way to keep water off the trail. Use curvilinear design principles to create a trail that follows the natural contours of the topography, sheds water, blends with the surrounding terrain, and provides fun recreation opportunities.



The following grade guidelines will help determine appropriate tread locations.

- **The Half Rule:** “A trail’s grade shouldn’t exceed half the grade of the hillside or sideslope (cross slope) that the trail traverses. If the grade does exceed half the sideslope, it’s considered a fall-line trail. Water will flow down a fall-line trail rather than run across it. For example, if you’re building across a hillside with a (cross slope) of 20 percent, the trail-tread grade should not exceed 10 percent.” (IMBA 2004) Steeper cross slopes allow more flexibility for sustainable tread grades while flat or low angle cross slopes can be problematic. There is an upper limit to this rule. Sustaining a 24 percent tread grade, even on a 50 percent cross slope is unlikely. Additionally, trail segments may break this rule on durable tread surfaces such as solid rock.
- **The Ten Percent Average Guideline:** The average trail grade over the length of the trail should be 10 percent or less for greatest sustainability. Short sections of the trail may exceed this, but the overall grade should remain at 10 percent or less.
- **Maximum Sustainable Grade:** This is the upper grade limit for those short trail segments that push the limits of the previous two guidelines. It is determined by a site-specific analysis based on TMO’s, environmental conditions, and observations of existing trails – what’s working, and what’s not?
- **Grade Reversals:** Frequent changes in the direction of tread grade (gentle up and down undulations) will ensure that water is forced off the trail at frequent intervals.

**5. Locate trails in stable soils.** Avoid clays, deep loam and soils that do not drain rapidly. Consider season of use and type of use. A trail on a south aspect will have greater usability and sustainability for winter use. The capabilities of motorized vehicles to function in wet/muddy conditions make it imperative to avoid unstable or poorly drained soils. Trails that are less likely to be used when wet may be located in less-desirable soils if necessary. In western Colorado’s arid environment, the best soil conditions for trails are those with high rock content. Utilize slick rock for trail tread when possible. Sand is acceptable in dry washes, but otherwise avoid sand.

**6. Drainage crossings are key control points and should be selected carefully.** Consider both the trail’s impact on the drainage (erosion and sedimentation), and the drainage’s impact on the trail (changing tread surface, water channeling onto trail). The trail should descend into and climb out of the drainage to prevent water from flowing down the trail. Avoid long or steep entries into drainages. Design grade reversals into the trail on each side of the approach to minimize water and sediment entering from the trail. Look for drainage crossings on rock.

**7. Dry washes can be excellent travel ways.** They are well defined, contain noise, and are periodically resurfaced by flowing water. As long as the wash does not support riparian vegetation and has no major safety problems, like water falls, they are well suited to be part of a recreational trail system.

**8. Avoid switchbacks.** Switchbacks are difficult, time-consuming, and expensive to construct, and require regular maintenance. Users often cut them, causing avoidable impacts. Utilizing curvilinear design principles eliminates the need for most switchbacks. Climbing turns are easier to construct and maintain and utilize natural terrain features (benches, knolls, rock outcrops) to change the direction of a trail.

**9. Avoid ridge tops.** Ridge tops are often primary transportation corridors for wildlife, and were often used by Native Americans as travel routes. Noise from ridge top trails is broadcast over a wide area. Locate trails on side hills, off ridge tops, using ridges and watersheds as natural sound barriers to isolate noise.

**10. Use vegetation and other natural features to conceal the trail and absorb noise.** This can be difficult in a desert environment. Try to minimize the visual impact of the trail by following natural transitions in vegetation or soil type. A trail near the base of a sideslope or on rimrock is usually less visible than a mid-slope trail. Denser vegetation will hide a trail, lessen noise transmission, and can dissipate the energy of falling raindrops on the bare soil of the trail tread.

**11. Carefully design intersections to avoid safety problems.** When locating a bicycle or motorized vehicle trail be aware of sighting distance and sight lines. Collisions can be avoided if riders can see each other. Avoid four way intersections. Offsetting the cross traffic helps reduce speeds and reduces the risk of collisions.

#### **Sources:**

Off Highway Motorcycle and ATV Trails: Wernex, 2<sup>nd</sup> edition, American Motorcycle Assoc. 1994

Off Highway Vehicle Trail and Road Grading Equipment, Vachowski, Maier, USDA Forest Service Missoula Technology and development Center 1998 Doc# 7E72A49

Mountain Bike Trails: Techniques for design, construction and Maintenance, McCoy Stoner, USDA Forest Service, Missoula Technology and Development Center

Recommended Standardized Trail Terminology for Use in Colorado, Colorado Outdoor Training Initiative (COTI). 2005

Tractor Techniques for Trailbed restoration, Hamilton, USDA Forest Service 1994

Trails 2000, Lockwood USDA Forest Service 1994

Trail Construction and Maintenance Handbook, Hesselbarth, Vachowski, USDA Forest Service (4E42A25-Trail Notebook) 2004

Trail Solutions, IMBA's Guide to Building Sweet Singletrack, International Mountain Bicycling Association (IMBA) 2004.

USDA Forest Service Travel Management Handbook, FS 2309.18

# **RECOMMENDED ROAD AND TRAIL SIGNING FOR PUBLIC LANDS**

## **DEVELOPED BY THE COLORADO NATURAL RESOURCES GROUP MARCH 2011**

### **Introduction**

Members of the Colorado Natural Resources Group (CNRG) have a desire to provide consistent signing for roads and trails across Colorado. Every agency in CNRG will use the basic guidelines in the attached paper. It is recognized that individual agencies will have specific signing requirements that may not be applicable to other agencies, but that in general, visitors to public lands in Colorado will experience similar sign design and protocols throughout the state. These guidelines are also intended to comply with the Manual of Uniform Traffic Control Devices (MUTCD) standards.

These signing guidelines are a revision of the original CNRG recommendations developed in the fall of 1998 and signed in 2004.

# ROAD SIGNING

## PORTAL SIGNS - TRAVEL RESTRICTED AREAS

The following three sign options are intended to alert visitors that they are entering into a travel restricted area, and that they must stay on designated routes. These signs should be used where a traveler crosses into a travel restricted area from an open area. This sign alerts the traveler that off road travel is prohibited and there may be some additional restrictions on certain routes. Install these signs where it is safe for traffic to stop to view the message.

### Standard Format Options



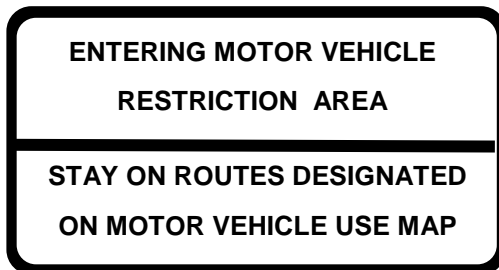
Option 1

Option #1 – Basic Portal Sign (Black on White) for entering a travel restricted area. Placed at key or principal routes at the near point of restriction.



Option 2

Option# 2 – Travel Restricted Area Sign. Currently, this sign option is the most frequently used in Colorado. Only the modes of travel that are restricted within the area should be shown on this sign.



Option 3

Option #3 – This portal sign is similar in design to Option 1 and will be used mainly on the National Forests where travel restrictions are described on a Motor Vehicle Use Map (MVUM).





TRAVEL RESTRICTED AREA SIGN  
EXAMPLE - Option 2

### **Allowable Alterations**

The word “Designated” may be changed to “Established” during travel planning when area management prescriptions are being changed from “open to off-road travel” to “restricted to roads and trails”. When the roads and trails that will be retained as the managed transportation system have been identified the word “Established” should be changed back to “Designated.” This is intended to be an interim policy to allow for the orderly transition between “open to off-road” to “restricted to route” policy.

### **Lettering**

For Passenger Car use roads (ML 3-5) agencies should follow the MUTCD standards for sign lettering and height where applicable.

Minimum lettering size for “TRAVEL RESTRICTED AREA” wording will be a minimum of one half inch larger than all other lettering.

# AREA OPEN SIGN / DESIGNATED OPEN AREA



Area Open / Designated Open Area Sign

## Standard Format

The Designated Open Area sign is used for specific areas with identifiable boundaries in which travel is allowed both on and off roads. If the area name is desired, place the name at the top of the sign. The message "THIS AREA OPEN TO ALL TRAVEL ON AND OFF ROADS AND TRAILS USING" is to be placed below the name of the area and above the recreation symbols. Agency logos and/or names are to be placed below the recreation symbols. Every sign should include at least one agency identification so the public knows where questions and comments can be directed. Areas managed by multiple agencies may show all agency logos across the bottom of the sign.



## OHV Designated Areas

For areas designated OHV open areas, the sign displayed to the left would be installed at all access points into the open area in addition to the Designated Open Area sign. A similar designed sign should be installed when "Leaving" the OHV area.

# ROAD USE SIGNS

## Horizontal Road Signs

### Standard Format

These horizontal signs are recommended for gates or in a pull-out along higher standard roads (ML 3-5) where vehicles can stop to read them. As these signs do not meet size requirements of the MUTCD, do not use alongside a roadway where drivers would have to read them while moving. Where there are travel restrictions, the road name and number may be included on this sign.



Vertical road signs, discussed later, are the normal travel management signs identifying the uses that are allowed and/or prohibited on lower standard, High Clearance/ML 2 roads.

Road Use signs are used to identify “designated routes” through a travel restricted area or other route condition changes.

### Options – Horizontal Display

This sign is appropriate on roads intended for use by standard passenger cars, or on lower standard roads where the complexity of the travel management message (i.e., seasonal closures) requires the use of horizontal display. There are 3 options for this sign (see diagrams at left). They are:



**OPEN TO:** Is intended to show, using symbols, the modes of travel allowed on the road. Display all the symbols under “Open To.” This section may be left off of signs since most of the uses like horseback riding, hiking and biking are allowed on all roads.

**CLOSED TO:** Is intended to show, using symbols, the modes of travel that are not allowed on the road. This sign will first show the modes of travel that *are* allowed on the road under the words “Open To”. Below these, the modes of travel that are prohibited will be shown with red-slashed symbols under the words “Closed To.” The reason for the closure is optional.

**SEASONAL CLOSURE (with dates):** This sign will first show the modes of travel that *are* allowed on the road under the words “Open To”. Below these, the modes of travel that are restricted will be shown with red-slashed symbols under the words “Seasonal Restrictions”. The dates of the restricted travel will be shown below the symbols. Note: this sign would be appropriate on a seasonally opened gate in the center as an “optional” sign.



FR 17-1  
18" X 18"  
(w/green circle)

### Off Highway Vehicle Signs

These signs are used to designate routes where OHVs are allowed on passenger car roads. A mixed use analysis is required by all agencies prior to allowing unlicensed OHVs on passenger car roads. The road name is not required. If the road name is desired, it will be placed at the top of the sign along with the number.



Share the Road Sign (18" x 24")  
and symbol (24" x 24")

### Share the Road Sign

This warning sign is used to caution road users that OHVs and full sized vehicles will be sharing the road. The use of these signs should be kept to a minimum and based on a documented engineering study or engineering judgment. They are not to be used for the sole purpose of identifying or designating an OHV route. Do not mix route ID markers or other signs with warning signs on the same post. Comply with MUTCD on size, color and retroreflectivity requirements.



### Road signs prohibiting OHVs

This regulatory sign may be used on passenger car roads where unlicensed OHVs are NOT allowed. The sign is to be placed at the point on the route where the prohibition becomes effective.

#### **Symbols**

Letter size is in accordance with MUTCD but no less than 3 inches high. Sign color is black letters on a white background. Do not mix route ID markers or other signs with regulatory signs on the same post.





**Vertical Road Sign**

This sign is appropriate on higher clearance roads (ML-2 roads) not intended for use by standard passenger cars. There are two options for this sign. They are:

**OPEN TO:** Is intended to show, using symbols, the modes of travel allowed on the road. Display all the symbols under the words “Open To.” Note: Since hiking, biking, equestrian use, and cross-country skiing is generally permitted on all roads the “Open To” sign is optional.

**CLOSED TO:** Is intended to show, using symbols, the modes of travel that are not allowed on the road. This sign will first show the modes of travel that *are* allowed on the road under the words “Open To”. Below these, the modes of travel that are prohibited will be shown with red-slashed symbols under the words “Closed To.” The reason for the closure is optional.

The vertical road sign is not appropriate for seasonal closures (with dates): The complexity of the travel management under this scenario requires the use of the horizontal display to convey the entire necessary message. Refer to the direction for horizontal road use sign described on page 5.

**Road Identification**

The road name is not appropriate on the vertical display. The number will be placed vertically at the top of the sign to distinguish these routes from trails.

**Symbols**

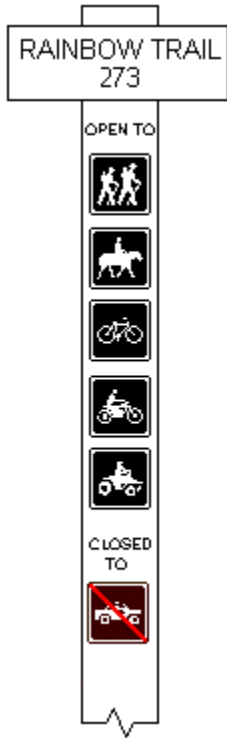
The minimum symbol size will be 2.5” x 2.5”.

**Agency Logos**

The agency logo(s) may be placed at the bottom of the vertical display. Logos should be 2.5” x 2.5” or larger. Consider keeping it white on brown.

# TRAIL SIGNING

## TRAIL ROUTE MARKERS



### Standard Format

Travel management signage for trails is critical in today's world. The trail users want to know what modes of travel are allowed on the trail they are ready to use, as well as what modes of travel are prohibited on that trail.

### Trailhead Signage

All trailheads should have travel management signing regardless of the level of development at the trailhead. At a minimum, the user should see the name and number of the trail, with travel management information clearly displayed as a sign assembly. See diagram at left.

The trail name and trail number should read horizontally. The travel management direction should be displayed vertically. A destination sign is optional for the trail sign. Follow responsible agency's manual direction on proper wording, abbreviations, and placement of text for direction signs. If night use is occurring on motorized trails, reflective sheeting material is recommended.

### Placement of International Symbols

To show the travel modes allowed, use the words "Open To" and show the international symbols below. Display the modes of travel that are prohibited using the words "Closed to" with a red slash across the international symbol below.



Option 2

Option 1 – Agencies have the option of providing additional information concerning the width of the trail for the mode of travel. For example, some trails may restrict OHVs to a width of fifty (50) inches or less. In this case, a small decal with the text 50" or less may be placed below the ATV symbol.

Option 2 – For additional emphasis on trail restrictions consider using a Trail Restriction sign (12" x 18") similar to the one displayed to the left. This type of sign can be used to notify visitors of restrictions that are of a seasonal nature or unique to a specific trail.

### Symbol Size

The size of symbols for trail usage should be 2.5" x 2.5" for each symbol.

### Agency Logos

The minimum size of agency logo(s) should be 2.5" x 2.5" and may be placed at the bottom of the vertical travel management sign.

### **Placement of Travel Management Signs**

Travel management signs should be placed at the trailhead and at trail junctions with roads or other trails where travel management is changing or needs reinforcement.

# THE OLD SPANISH TRAIL

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## Old Spanish Trail Open House October 6, 2010 Comments Tabulation

### How did you hear about the Open House?

Vicki Felmlee	3
Daily Sentinel	7
E-mail	1
TV News	1
Word of Mouth	2
Free Press	1

Have you visited the Old Spanish Trail/Gunnison Bluffs area? Yes 20 No 4

### What do you enjoy most about the area?

- Quiet IIII I
- Open space IIII
- Desert flowers II
- Scenery IIII I
- Walk Dog
- Recreation II
- Ride Horse II
- No Motor Vehicles I
- Proximity to Home I
- History I
- Wildlife I
- Preserved Natural area II

### During your visit(s) did you:

- Walk IIII IIII IIII
- Jog/Run III
- Bicycle IIII
- Study wildlife & flowers IIII IIII
- Horseback Ride IIII II
- Learn about the area's history IIII IIII
- Other –
  - Walk Dog II
  - Worked on Trail I



# THE OLD SPANISH TRAIL

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## Would you consider your use of the area to be for...

- Recreation IIIII IIIII IIIII IIIII
- Health & Exercise IIIII IIIII IIIII
- Fitness/Training IIIII
- Education IIIII IIIII
- Leisure IIIII I
- Other – Scouting Projects I
- Ecology Conservation I

## How did you find out about the old Spanish Trail/Gunnison River Bluffs area?

- Word of Mouth IIII IIII III
- Bike Shop
- Internet Website I
- Newspaper IIIII
- Local Knowledge IIII III
- Driving past II
- Road signs III
- City of Grand Junction
- Mesa County I
- Bureau of Land Management (BLM) I
- Other
- Own Property in area II
- OMNIA I

Do you know the History of the Old Spanish Trail      Yes 15      No 9

## Those who answered yes to # 3, please explain...

- A Little II
- Did Research I
- Vicki Felmlee provided info II
- Limited Knowledge I
- History Buff I
- Western Colorado Historical Society I

# THE OLD SPANISH TRAIL

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## Other Comments

- Keep the trail as is. Horses helped make the trail foot traffic. Let us & future generations feel the connection of Past-present-future!!
- The Spanish Trail is not only history but it's also our heritage.
- Please place the brown trails sign on the Highway 50 for all to see just like the Audubon trails sign is located at the Riverside/Redlands Area.
- I sincerely do not want to see any infringement of the Public's use attached to the trail and I support any efforts to preserve this wonderful trail for now and for my grandchild.
- Please do not let this local attraction be lost like so many other areas. I am already adversely affected by the gravel pit to be coming right behind my house. Please let our voices be heard and do the right thing this time.
- Would like road base or gravel placed over clay sections of trail to alleviate mud.
- Concerned that a much used access point (29 $\frac{3}{4}$  Road) is going to be destroyed by a gravel pit being put in. This project doesn't go through the County, but through the City because of the Persigo Agreement.
- Being a local resident, I enjoy the use of the trail. I live on Orchard Mesa & the trail is close.
- It's not the prettiest trail around especially due to the land fill and old reclamation area. Also, it's very arid looking – but its charming in spring with wild flowers and blooming cactus and its close to home. I'd like to see 29 $\frac{3}{4}$  Road signed better for access to the trails & would help with improving that access (labor that is).
- Membership, group involvement. More community involvement.
- I believe this is a asset to our community in a good way. I see people use it a lot. We need to keep the history & the trail needs to stay available for the public. People connect with trail on 29 $\frac{3}{4}$  Road which they are trying to put in a sand & gravel pit. We are trying to fight this because we want this trail to stay accessible from where we are at. Thank you.
- I grew up on Orchard Mesa and rode this area as a teenager (horseback). I'm very pleased that this area and the history is being preserved for future generations.
- Excellent Trails. Looks like great opportunities to implement low impact development with the trailheads.
- The trail is close to our home & we appreciate its history & beauty. The Petro glyphs are especially interesting. The river view is amazing.
- A great place that needs to be open to the public.
- Dog Control – not bad yet.
- I've lived on OM for 2 years (27&B) and always heard about the trail but never knew where to find it. I think someone showed me the west end parking area. I'm not sure who owns that empty park- City? I would like to see the trail kept open to hiking, biking, dogs, horses. A more convenient west access would be nice but I'm glad there is at least a place to park and a fenced access.
- It is a beautiful trail. The scenery is beautiful.
- Thank you for all you're doing!

# THE OLD SPANISH TRAIL

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Would you like to be involved in the Sister Trails effort Yes 15 No 9 Maybe 2 No Response 4

How would you like to be involved?

- Whatever I can.
- On Saturday Trail Cleanup
- Keep me informed please
- Trailwork
- I am involved with OST out of Montrose to Cochetopa Pass
- Info
- I can help clean areas and move rocks etc. to make trails and access district.
- I'm the Northern Chapter Vice President.
- Trail repair, maintaining long range planning for equestrian use.
- Trail cleanup, construction (if any), Trail watch
- Can help edit/wordsmith pamphlets & fliers, Photography, anything.
- Possibly assist with design to meet ADA standards. Also can provide ideas for the trailhead.
- Be a member, volunteer sometimes.
- Not sure
- I'll help w/clean-up Saturday morning and go from there.
- Trail work – combined effort with Grand Mesa Back Country horsemen.

# THE OLD SPANISH TRAIL

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## FUNDING NEEDS & SOURCES

Funding is one of the most challenging aspects of trail implementation. Public funding is increasingly competitive and scarce. Money from foundations and other philanthropic organizations and groups is also difficult to acquire, in part because available funds are highly sought-after. Nevertheless, all potential sources should be explored to the fullest. Having a good trail plan is the first step toward securing implementation funding.

There are a number of potential funding sources and policy measures that can aid implementation of this plan. These include resources at the local, county, regional, state, and federal levels as well as private sector contributions. Old Spanish Trail partners should investigate and track programs and explore funding potentials on an on-going basis.

The following pages offer a comprehensive description of funding sources that can be used to support the development of trails and trail facilities for Old Spanish Trail communities. The sources are organized and defined by local, state and federal resources and agencies.

### LOCAL SOURCES

A local, dedicated source of revenue can be established and utilized to attract state and federal funding.

#### *Sales Tax*

One potential mechanism for generating revenue for trails is collection of sales tax.

#### *Property Tax*

Typically, property taxes support a significant portion of a local government's activities. The revenues from property taxes can also be used to pay debt service on general obligation bonds issued to finance open space system acquisitions. For locally funded open space, park and trail programs, property taxes can provide a steady stream of financing while broadly distributing the tax burden. In other parts of the country, property taxes have been a popular method to pay for park and open space projects with voters as long as the increase is restricted to parks and open space.

#### *Excise Taxes*

Excise taxes are taxes on specific goods and services. Examples include lodging, food, and beverage taxes that generate funds for promoting tourism, and the gas tax that generates revenues for transportation related activities. Excise taxes may be a viable source for funding a future regional trails program.

#### *Bonds/Loans*

Bonds have been a very popular way for communities across the country to finance their open space, parks and trails projects. A number of bond options are listed below. Since bonds rely on the support of the voting population, an education and awareness program should be implemented prior to any vote.

#### *Revenue Bonds*

Revenue bonds are bonds that are secured by a pledge of the revenues from a certain local government activity. The entity issuing bonds pledges to generate sufficient revenue annually to cover a program's operating costs, plus meet the

# THE OLD SPANISH TRAIL

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annual debt service requirements (principal and interest payment). Revenue bonds are not constrained by the debt ceilings of general obligation bonds, but they are generally more expensive than general obligation bonds.

## *General Obligation Bonds*

Local governments can issue general obligation (G.O.) bonds that are secured by the full faith and credit of the entity. In this case, the local government issuing the bonds pledges to raise its property taxes, or use any other sources of revenue, to generate sufficient revenues to make the debt service payments on the bonds. A general obligation pledge is stronger than a revenue pledge, and thus may carry a lower interest rate than a revenue bond. Frequently, when local governments issue G.O. bonds for public enterprise improvements, the public enterprise will make the debt service payments on the G.O. bonds with revenues generated through the public enterprise's rates and charges. However, if those rate revenues are insufficient to make the debt payment, the local government is obligated to raise taxes or use other sources of revenue to make the payments. G.O. bonds distribute the costs of open space acquisition and make funds available for immediate purchases. Voter approval is required.

## *Special Assessment Bonds*

Special assessment bonds are secured by a lien on property that benefits by the improvements funded with the special assessment bond proceeds. Debt service payments on these bonds are funded through annual assessments to the property owners in the assessment area.

## *Impact Fees, Fee in-lieu and Service Charges*

- Park and Recreation User Fees
- Open Space Impact Fees and Fee In-lieu (from new development)

## *Open Space and Trail Trust Fund and Sponsors*

An Open Space and Trail Trust Fund could be established that would support the operation and management of the Old Spanish Trail. The fund could be set up with a private financial institution or through a local non-profit organization. Contributions to the fund would be solicited from parks, open space and trail advocates, businesses, civic groups, and other foundations. The goal would be to establish a capital account that would earn interest and use the interest monies to support trail maintenance and operations. Special events could be held whose sole purpose is to raise capital money for the Trust Fund. A trust fund can also be used in the acquisition of high-priority properties that may be lost if not acquired by private sector initiative. A trust fund example is the Mountains-to-Sound Greenway Legacy Fund in Washington. The Mountains-to-Sound Greenway Legacy Fund is an endowment fund managed by The Seattle Foundation. Its purpose is to protect the Mountains-to-Sound Greenway for the public good, in perpetuity. It will be used to support restoration, enhancement, education, and advocacy programs of the Mountains-to-Sound Greenway Trust.

A sponsorship program for trail amenities allows smaller donations to be received from both individuals and businesses. Cash donations could be placed into the trust fund to be accessed for certain construction or acquisition projects associated with the greenways and open space system. Some recognition of the donors is appropriate and can be accomplished through the placement of a plaque, the naming of a trail segment, and/or special recognition at an



# THE OLD SPANISH TRAIL

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opening ceremony. Types of gifts other than cash could include donations of services, equipment, labor, or reduced costs for supplies.

## STATE OF COLORADO SOURCES

### *Colorado SB 078-98 (Fitz-Gerald/White Act)*

The Old Spanish Trail Project area has a unique opportunity to protect water quality, natural areas, wildlife habitat, and create new opportunities for outdoor recreation. SB 07-98, otherwise known as the Fitz-Gerald/White Act, allows counties to ask voters to approve up to a half-cent sales and use tax to fund an open space program that can most accurately reflect local priorities for acquisition and management. In accordance with TABOR, counties could only exceed the sales and use tax cap for the purpose of open space and parks after subjecting the measure to a vote. SB-98 is designed to be a new resource for financially constrained county governments interested in creating dedicated revenues for land conservation. A local dedicated funding source is vital to attracting matching funds from state and federal sources and for purposes of pursuing land conservation projects with interested and willing sellers. In Colorado, many counties are currently at their statutory sales tax maximum on voter-approved sales and use tax authority. SB-98 allows voters to decide for themselves whether to dedicate funds solely to fund open space protection.

### *Great Outdoors Colorado (GOCO)*

In 1992, voters placed on the ballot and approved the creation of the Great Outdoors Colorado Trust Fund. GOCO is funded by the proceeds of the Colorado Lottery, receiving 50 percent with a \$35 million cap, adjusted for inflation (proceeds above that return to the State General Fund). The GOCO Trust Fund is administered by a 15-member Board of Trustees and is used to fund outdoor recreation, wildlife protection, and open space acquisition. State and local government agencies, including special districts and nonprofit land conservation organizations are eligible to apply for grants, with 25-50 percent matching funds required. Typical projects funded by GOCO grants include recreation trails, planning, construction, and conservation easement purchases.

### *Conservation Trust Fund (CTF)*

Over 460 cities, towns, counties, and special districts are eligible to receive CTF grants, distributed by the Colorado Department of Local Affairs. The funds may be used to acquire open space and to purchase, maintain, or restore local facilities, equipment, and parks. In FY 2012, CTF distributed \$50.5 million from lottery proceeds.

### *Conservation Easement Tax Credit*

On May 28, 1999, Governor Bill Owens signed House Bill 1155, a law that grants an income tax credit to individuals or corporations for the donation of conservation easements to governmental entities or non-profits. The original maximum tax credit was \$100,000 and could be used over a period of up to 20 years. An act signed on May 23, 2013 set the annual tax credit cap at \$45 million and raised the individual maximum to \$375,000.

<http://www.colorado.gov/cs/Satellite/Revenue/RE VX/1251599806003>

### *Colorado Council on the Arts*

The Colorado Council on the Arts (CCA) provides grants in two subsets: grants to artists and organizations and youth development grants. The grants to artists and organizations are designed to leverage local support for arts and cultural activities in support of CCA's goals, including activities that support and promote the state's cultural heritage. Artists, cultural organizations and community groups are eligible to apply.

# THE OLD SPANISH TRAIL

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[www.colorarts.state.co.us](http://www.colorarts.state.co.us)

## ***Colorado Tourism Office — Marketing Matching Grant Program***

The Colorado Tourism Office (CTO) administers the Statewide Marketing Matching Grant Program (which assists organizations with promotion of the state as a whole) and the Regional Matching Grant Program (which assists organizations with the promotion of specific regions in Colorado). Within the context of marketing projects, the funds may be spent on promotion, product packaging, networking and communication and education. Not-for-profit organizations are eligible to apply. For every \$1 the organization allocates to the program, the CTO will provide \$2 in matching funds.

[www.colorado.com/static.php?file=industry\\_partners](http://www.colorado.com/static.php?file=industry_partners)

## ***State Historical Fund***

The Colorado Historical Society's State Historical Fund awards grants for preservation projects, education projects (including heritage tourism) and survey and planning projects. All projects must focus on the built historical environment including, but not limited to, buildings, landscapes and individuals involved in the building industry. Only not-for-profit and public entities are eligible to apply. A 25 percent match is requested. The State Historical Fund assists in the writing and administration of grants through its Public Outreach Unit that reads drafts, visits sites and conducts grant workshops. Approximately 65 percent of applications receive funding.

[www.coloradohistory-oahp.org/programareas/shf/shfindex.htm](http://www.coloradohistory-oahp.org/programareas/shf/shfindex.htm)

## ***Colorado Brownfields Foundation***

Through its Environmental Due Diligence Technical Assistance Grant Program, the Colorado Brownfields Foundation provides money that can be used to conduct a Phase 1 Environmental Assessment to cover environmental due diligence requirements and identify potential liabilities associated with the re-use of historic properties. Adaptive use planning is also provided. While the property can be either publicly or privately owned, the grant must be applied for by a government agency. A match is not required.

[www.coloradobrownfieldsfoundation.org/edd2006.html](http://www.coloradobrownfieldsfoundation.org/edd2006.html)

## ***Colorado Parks and Wildlife***

Colorado Division of Parks and Wildlife provides funds to preserve, protect, and create natural habitats and landscapes. The Cooperative Habitat Improvement Program (CHIP) provides financial and technical assistance to landowners for the creation and enhancement of habitat. The Pheasant Habitat Improvement Program provides funding and technical assistance for habitat restoration.

## ***The Colorado Wetlands Partnership***

The Colorado Wetlands Partnership (CWP) provides funding for wetland restoration and creation, and for the purchase of conservation easements and fee-titles. Private landowners, public entities and nonprofits are eligible. CHIP requires a 15-percent match in cash or in kind services by the landowner who is responsible for maintenance. CWP requires funds from other sources to be used, but sets no specific match. [cpw.state.co.us](http://cpw.state.co.us)

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## *Colorado Parks and Wildlife — Recreational Trails Program*

The recreational grant program through Colorado Division of Parks and Wildlife is intended to fund project including land acquisition, construction, reconstruction, maintenance or enhancements to an existing or new trail or trailhead, and purchase snow grooming equipment. Local, state and federal governments, school districts, special districts with recreational opportunities, and nonprofit organizations are eligible to apply for projects.

<http://cpw.state.co.us/aboutus/Pages/trails.aspx>

## *Department of Local Affairs — Energy and Mineral Impact Assistance Energy and Mineral Impact Grants*

Administered by the Department of Local Affairs, DOLA assists communities affected by the growth and decline of extractive industries. This money can fund improvements to public facilities and local government planning efforts where cultural heritage tourism-related goals can be furthered through economic development initiatives.

Municipalities, counties, school districts, special districts and state agencies are eligible for the funds. Because these grants require matching funds, applications with higher matches receive more favor as they highlight community support. [www.dola.state.co.us/LGS/FA/emia.htm](http://www.dola.state.co.us/LGS/FA/emia.htm)

## **FEDERAL SOURCES**

Most federal programs provide block grants directly to states through funding formulas. For example, if a Colorado community wants funding to support a transportation initiative, they would contact the Colorado Department of Transportation and not the US Department of Transportation to obtain a grant. Despite the fact that it is rare for a local community to obtain a funding grant directly from a federal agency, it is relevant to list the current status of federal programs and the amount of funding that is available to communities through these programs.

## *Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)*

(Accessed through CDOT)

For the past 20 years, the Surface Transportation Act has been the largest single source of funding for the development of bicycle, pedestrian, trail and greenway projects. It is currently administered through MAP-21.

## *Transportation Alternatives Program (TAP)*

MAP-21 establishes a new program to provide for a variety of alternative transportation projects that were previously eligible activities under separately funded programs. This program is funded at a level equal to two percent of the total of all MAP-21 authorized Federal-aid highway and highway research funds, with the amount for each State set aside from the State's formula apportionments. Unless a State opts out, it must use a specified portion of its TAP funds for recreational trails projects. Eligible activities include:

- Transportation alternatives (new definition incorporates many transportation enhancement activities and several new activities)
- Recreational trails program
- Safe routes to schools program
- Planning, designing, or constructing roadways within the right-of way of former Interstate routes or other divided highways.

<http://www.coloradodot.info/programs/statewide-planning/documents/transportation-alternatives-program-guidelines-and.pdf/view>

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## ***Land and Water Conservation Fund (LWCF)***

The Land and Water Conservation Fund is the largest source of federal money for park, wildlife, and open space land acquisition. The program's funding comes primarily from offshore oil and gas drilling receipts, with an authorized expenditure of \$900 million each year. However, Congress generally appropriates only a fraction of this amount. The program provides up to 50 % of the cost of a project, with the balance of the funds paid by states or municipalities. These funds can be used for outdoor recreation projects, including acquisition, renovation, and development. Projects require a 50% match.

LWCF was established by Congress in 1964 to create parks and open spaces; protect wilderness, wetlands, and refuges; preserve wildlife habitat; and enhance recreational opportunities. LWCF has underwritten the development of more than 38,000 state and local park and recreation projects in nearly every county in the nation.

In Colorado, LWCF state matching grants are administered by Colorado Division of Parks and Wildlife. Since 1965, nearly 1,000 grants totaling more than \$58 million have funded local government and state park outdoors investments statewide. In recent years, State Parks has worked with local government parks and recreation leaders to utilize the State Trails Program Grants Process to grant LWCF funds. This process is consistent with statewide surveys that continue to rank community and regional trail systems among Colorado's highest priority outdoors needs. These priorities are documented in the Statewide Comprehensive Outdoor Recreation Plan (SCORP), which State Parks publishes every five years in order to remain eligible for annual congressional appropriations of LWCF funds.

<http://parks.state.co.us/Trails/LWCF/LWCFGrants>.

## ***Environmental Finance Center, EPA Region 8***

New Mexico Institute of Mining & Technology: <http://efc.nmt.edu>

The New Mexico Environmental Finance Center (NMEFC) is a program of the Institute of Engineering Research and Applications (IERA) at New Mexico Institute of Mining and Technology and is dedicated to helping state, local, and tribal governments meet environmental infrastructure needs and regulatory compliance.

## ***National Park Service***

Connectivity/Recreation—Connecting Trails to Parks (CTTP): to increase public awareness, appreciation, and use of the National Trails System at NPS areas and other Federal lands and facilities associated with NPS-administered components of the National Trails System.

## ***Community Block Development Grant Program (HUD-CBDG)***

The U.S. Department of Housing and Urban Development (HUD) offers financial grants to communities for neighborhood revitalization, economic development, and improvements to community facilities and services, especially in low and moderate income areas. Administered by the Department of Local Affairs, Community Development Block Grants can be spent on a wide variety of projects, including property acquisition, public or private building rehabilitation, construction of public works, public services, planning activities, assistance to nonprofit organizations and assistance to private, for-profit entities to carry out economic development. At least 70 percent of the funds must go to benefit low and moderate-income populations. The funds must go to a local government unit for disbursement. A detailed citizen participation plan is required.

[www.hud.gov/offices/cpd/communitydevelopment/programs/index](http://www.hud.gov/offices/cpd/communitydevelopment/programs/index) and

<http://dola.colorado.gov/dlg/fa/cdbg/index.html>

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## *Economic Development Administration*

Funding is available through this federal program in the form of several different grants. Two grants that may be applicable to cultural heritage tourism are the Economic Adjustment Assistance Grant (which helps communities develop comprehensive redevelopment efforts that could include cultural heritage tourism programs) and the Planning Program Grant (which helps planning organizations create comprehensive development strategies). Only governmental units are eligible.

[www.eda.gov](http://www.eda.gov)

## *National Endowment for the Humanities*

The National Endowment for the Humanities is a federal program that issues grants to fund high-quality humanities projects. Some grant categories that may be well suited to cultural heritage tourism are: grants to preserve and create access to humanities collections, interpreting America's historic places, implementation and planning grants, museums and historical organizations implementation grants, and preservation and access research and development projects grants. The grants go to organizations such as museums, libraries, archives, colleges, universities, public television, radio stations and to individual scholars. Matches are required and can consist of cash, in-kind gifts or donated services.

[www.neh.gov](http://www.neh.gov)

## *Preserve America*

The Preserve America grants program funds "activities related to heritage tourism and innovative approaches to the use of historic properties as educational and economic assets." Its five categories are: research and documentation, interpretation and education, planning, marketing, and training. The grant does not fund "bricks and mortar" rehabilitation or restoration. This grant is available to State Historic Preservation Officers (SHPOs), Tribal Historic Preservation Officers (THPOs), designated Preserve America communities and Certified Local Governments (CLGs) applying for designation as Preserve America Communities. Grants require a dollar-for-dollar nonfederal match in the form of cash or donated services.

[www.preserveamerica.gov/federalsupport.html](http://www.preserveamerica.gov/federalsupport.html)

## *USDA Community Facilities Grant Program*

The purpose of USDA Community Facilities Grants is to "... assist in the development of essential community facilities in rural areas and towns of up to 20,000 in population." These funds can be used for facilities that house "... health care, public safety and community and public services." Grants are available to public entities such as municipalities, counties and special-purpose districts, as well as nonprofit corporations and tribal governments.

[www.rurdev.usda.gov](http://www.rurdev.usda.gov)

## *USDA Rural Development Co-Operative Service Grants*

These grants can be used to develop new co-ops and provide assistance to existing co-ops with the broad goal of improving rural economic conditions. The funds must be used for something co-op related, which limits their applicability to cultural heritage tourism, but as an example, a co-op farmer's market was able to use these funds. Eligible recipients are not-for-profit 501(c)(3) corporations and institutes of higher education. Public bodies are not eligible. A 25-percent match is required.

[www.rurdev.usda.gov](http://www.rurdev.usda.gov)



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## *U.S. Fish & Wildlife Service*

The U.S. Fish & Wildlife Service has a long list of grant programs that benefit the conservation or restoration of habitats. These include grants for private landowners to assist in protecting endangered species, grants to restore the sport fish population and grants for habitat conservation planning and land acquisition. The amount, matching requirements, and eligibility for each grant vary. The website also provides practical information about successful projects and conserving specific habitats.

[www.fws.gov/grants](http://www.fws.gov/grants)

## *Private Foundations & Philanthropic Sources*

### *American Greenways Eastman Kodak Awards*

The Conservation Fund's American Greenways Program has teamed with the Eastman Kodak Corporation and the National Geographic Society to award small grants (\$250 to \$2,000) to stimulate the planning, design and development of greenways. These grants can be used for activities such as mapping, conducting ecological assessments, surveying land, holding conferences, developing brochures, producing interpretive displays, incorporating land trusts, and building trails. Grants cannot be used for academic research, institutional support, lobbying or political activities.

[www.conservationfund.org](http://www.conservationfund.org)

### *El Pomar Foundation*

The El Pomar Foundation supports Colorado projects related to health, human services, education, arts and humanities, and civic and community initiatives. Generally, El Pomar does not fund seasonal activities, travel or media projects, but their funding has supported other aspects of cultural heritage tourism, including regional planning and development. Recipients must be not-for-profit 501(c)(3) organizations.

[www.elpomar.org](http://www.elpomar.org)

### *W. K. Kellogg Foundation*

The Kellogg Foundation provides grants in four interest areas. The Rural Development Interest Area is the most applicable to cultural heritage tourism. Grants in this area "... fund collaborative comprehensive and inclusive approaches to rural economic development." Many organizations are eligible, but the process is highly competitive. The process starts with the submission of a pre-proposal. Full proposals are then solicited. It is imperative that the grant proposal fall within the foundation's programmatic interests and guidelines.

[www.wkcf.org](http://www.wkcf.org)

### *Active Living Network*

The Active Living program maintains a listing of funding opportunities and the Active Living Resource Center has a downloadable "Guide to Funds for Bicycling and Pedestrian Projects" at

<http://www.activeliving.org/index.php/Funding+Opportunities/60>

### *Tourism Cares*

Tourism Cares supports the efforts of tourism to "preserve, conserve and promote" the things that are our cultural and historic assets through its worldwide grant program. Grants provide money for capital improvements on important sites as well as the education of local communities and the traveling public about conservation and preservation. Only

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501(3)(c) not-for-profit corporations are eligible. Grant applications that leverage other sources of funding are endorsed by the local, state, or regional tourism office and have strong support from the local community have a better chance of being funded.

[www.tourismcares.org](http://www.tourismcares.org).

## ***Kaiser Permanente***

Focus areas include health care delivery issues facing disadvantaged populations and special consideration is given to activities that convene public policy leaders and develop collaborative partnerships with local, state and national organizations.

<http://newsmedia.kaiserpermanente.org/kpweb/pdf/feature/092communityinvolve/brochure.pdf>

## ***Bikes Belong***

The mission of the Grants Program is to put more people on bicycles more often. They accept and fund applications for three types of bicycle projects – facilities, education, and advocacy.

<http://bikesbelong.oli.us/Grants/GrantseekersGuide06.pdf>

## ***Robert Wood Johnson Foundation***

\$370 million in grants are provided annually for projects that “improve the health and health care of all Americans”, including an emphasis on childhood obesity.

<http://www.rwjf.org/applications/index.jsp>

## ***National Trust for Historic Preservation***

This endowment funds 14 different grants. The Preservation Funds Matching Grants and Intervention Funds assist nonprofit and public agencies with planning and educational projects or preservation emergencies, respectively. The Johanna Favrot Fund for Historic Preservation provides matching grants for nonprofit and public organizations whose projects contribute to preservation and/or recapturing an authentic sense of place.

[www.preservationnation.org](http://www.preservationnation.org)

## ***Smartwool's Advocacy Fund***

Projects should encourage responsible outdoor activity participation for youth 18 & under while promoting environmental stewardship.

[www.smartwool.com](http://www.smartwool.com)

## ***Target***

Gets kids outdoors—each Target store will award three Target Field Trip Grants to K-12 schools nationwide-enabling one out of every 25 schools throughout the U.S. to send a classroom on a field trip. Each grant is valued up to \$700.

<http://sites.target.com/>

## ***REI***

REI supports local partners financially with grant funding. Their grants program begins with nominations from store teams who select the local non-profits with whom they've developed enduring and meaningful partnerships.

Nominated partners are then invited to submit applications for grant funding. REI grants provide partner organizations with the resources and capacity to organize stewardship activities and get volunteers involved.

[www.rei.com/aboutrei/grants02.html](http://www.rei.com/aboutrei/grants02.html)

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## Volunteer efforts, contributions, and miscellaneous resources

### *Service Organizations*

Many service organizations and corporations have funds available for trail facilities. Consider Rotary Clubs or corporations such as Home Depot that are often willing to partner with local communities in the development of trails and other park and recreation facilities.

### *Development Contributions*

Development contributions are a means for requiring, as a condition of development approval, a builder or developer to give something to the County for the development of public facilities. Contributions can range from impact fees to land dedications for public trail facilities.

### *Dedications*

The dedication of land for trails has long been an accepted development requirement, and is another valuable tool for implementing trails. A county can require the dedication or, if larger-sized parcels are desired, can offer development “bonuses” such as increased density of development in exchange for the dedication of land for trails. In some cases, the developer may also be responsible for trail improvements, which may be maintained by a Homeowner’s Association. In these instances, it is important to determine whether the trail is private or public and what the desired and appropriate facilities are that should be provided.

### *In-Kind and Donated Services or Funds*

Several options for local initiatives are possible to further the implementation of the trails plan. These kinds of programs would require a proactive recruiting initiative to generate interest and sponsorship, and may include:

- Adopt-a-trail, whereby a service organization or group either raises funds or constructs a given facility with in-kind services;
- Corporate sponsorships, whereby businesses or large corporations provide funding for a particular facility, similar to adopt-a-trail;
- Public trail construction programs, in which local citizens donate their time and effort to trail facility construction and/or maintenance; and organizations such as the International Mountain Bike Association (IMBA), which have provided funds and leadership in similar situations.

The Colorado Plateau Mountain Bike Trail Association ([www.copmoba.org](http://www.copmoba.org)) is an example of an organization that dedicates itself to the development and maintenance of mountain bike trails on the Colorado Plateau.

### *Volunteer Work*

It is expected that many citizens will be excited about the improvement of a nationally historic trail. Individual volunteers from the community can be brought together with groups of volunteers from church groups, civic groups, scout troops, and environmental groups to work on greenway development on special community workdays. Volunteers can also be used for fundraising, maintenance, and programming needs.

Some of the volunteer, youth and other in-kind programs that should be considered as trail improvement resources include:

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- Volunteers for Outdoor Colorado— Organizes trail and land stewardship projects on public lands in Colorado.
- Youth Programs—youth corps, Western Colorado Conservation Corps, Colorado Youth Corps Association and other programs for at risk youth.
- In-kind Resources—use of City, County, or donated labor and equipment to build projects.
- Corrections Labor—use of military or corrections institution labor and equipment to build projects.
- Colorado National Guard

## *Land and Right-of-Way Acquisition*

Note: Colorado has a Recreational Use Statute (RUS) (Sec.33-41-101 thru –105, C.R.S.) meaning the liability of property owners and adjacent property owners who grant right-of-way for recreational purposes is limited. An attorney should be consulted to determine current status of the law and specific implications.

- Fee Simple Purchase—includes the entire “bundle” of rights in perpetuity—usually the most costly acquisition
- Easements—a conveyance of certain, but not all, rights associated with a property. Several types of easements may be applicable here including: public access (i.e. for trails); conservation (to protect natural resources, floodplain or water quality values); and preservation easements (to protect historic integrity or values of a property) or combinations thereof. Many easements may allow the owner to continue his use of the property for compatible purposes such as farming, while others may allow the owner to restrict public access. In some cases, the government or non-profit may simply purchase the development rights.
- Donation/Bargain Sale/Tax Incentives—a willing property owner conveys the property, right-of-way or conservation easement interest in property as a charitable contribution or at a less than fair market value price (bargain sale). The donor may be eligible for Federal, State and local tax deductions and may be able to off-set inheritance taxes, income taxes, capital gains or recurring property taxes. In some cases, the owner may donate a future interest in the land or retain a life tenancy allowing the donor to remain on the property, use the property, or take income from the property for the remainder of their life or lives.
- Option, Lease-Option or First Right of Refusal—This is an agreement with the owner to secure the right to acquire the property or right-of-way in the future. This protects the land in the short term until funds are found to make the purchase. Variations on this might include transaction through a third party such as a land conservancy or The Trust for Public Lands, where the third party buys and holds the land on a government or non-profit’s behalf. Communities may make rent payments or installment payments on the property over an extended period of time.
- License or Revocable Permit—A property owner grants the right to use the property (usually a trail right-of-way) for a period of years (usually 25 yrs. or more). In the case of a revocable permit, the grantor may terminate the right of use or access under certain conditions. Examples include the right for a trail to pass through a State Highway right-of-way or through a property where the owner is hesitant to grant permanent access.
- Cooperative Partnership Land Management—Certain public agencies may choose to cooperate and partner in the pursuit of mutual land management benefits. Under this scenario, public land managers agree to manage the land for multiple objectives such as conservation, land treatment of wastewater, wetland banking, joint-use recreational/ maintenance trails and water quality benefits. These might be implemented through short-term and long-term intergovernmental agreements or memorandums of understanding.

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- Property trades - Property trades between cooperating private property owners and government or non-profit organizations may be used to obtain lands desired for recreation or preservation.
- Transfer of Development Rights – Transfer of development rights programs allow landowners to transfer the right to develop one parcel of land to a different parcel of land.