



October 16, 2023

Staff Report and Summary – Conservation Covenant Area Assessment

• **General Comments:**

The Conservation Covenant Area assessment tour was completed this year on September 26 and 27 by RFTA Trails Staff and our third-party consultant, Tom Newland of Newland Project Resources. Plus, this year we had a RFTA Board Member and Town of Carbondale Trustee, Colin Laird, join us! The tour and corresponding report identify compliance and potential violations as described within the Conservation Restriction Covenant. The nine conservation areas and the locations of activities and potential violations are described based on the Rio Grande Trail mile marker numbering system and the railroad mile post system. The Conservation Restriction Covenant document identifies nine specific classes of potential violations. We found a couple new issues this year and there are still some old violations that need to be resolved, for example the berm and structure on RFTA's ROW along Hooks Spur Rd.

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

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

A discussion of the violations follows.

CONSERVATION AREA #1: Rosebud Cemetery to Buffalo Valley. MM 2.68 – 3.60 (MP 362.90 – 363.82)

- **Category (7) – Trash:** Staff has been dealing with some transients and consequently their trash piles along this section of the Corridor. We do notify the Garfield County Sheriff Department if we are having problems with campers/trespassers.

CONSERVATION #2: County Rd 109 (Ironbridge) to CMC Intersection. MM 5.18 – 6.25 (MP 365.40 – 366.47)

- **Category (9) Other at MM 5.5 (MP 365.8)** - The Thompson Glen Ditch Company has been on my report previously because of their ditch spoils and also because the ditch has been leaking water for years. This year is no different, I found several locations water adjacent to the Rio Grande Trail. See 3 photos below.



Photo – location #1 water from Thompson Glen Ditch seen down along CR 154 (photo taken 10/16/2023 just after ditch turned off for the season). Small culvert under Hardwick Bridge Trail is already getting clogged with sediment.

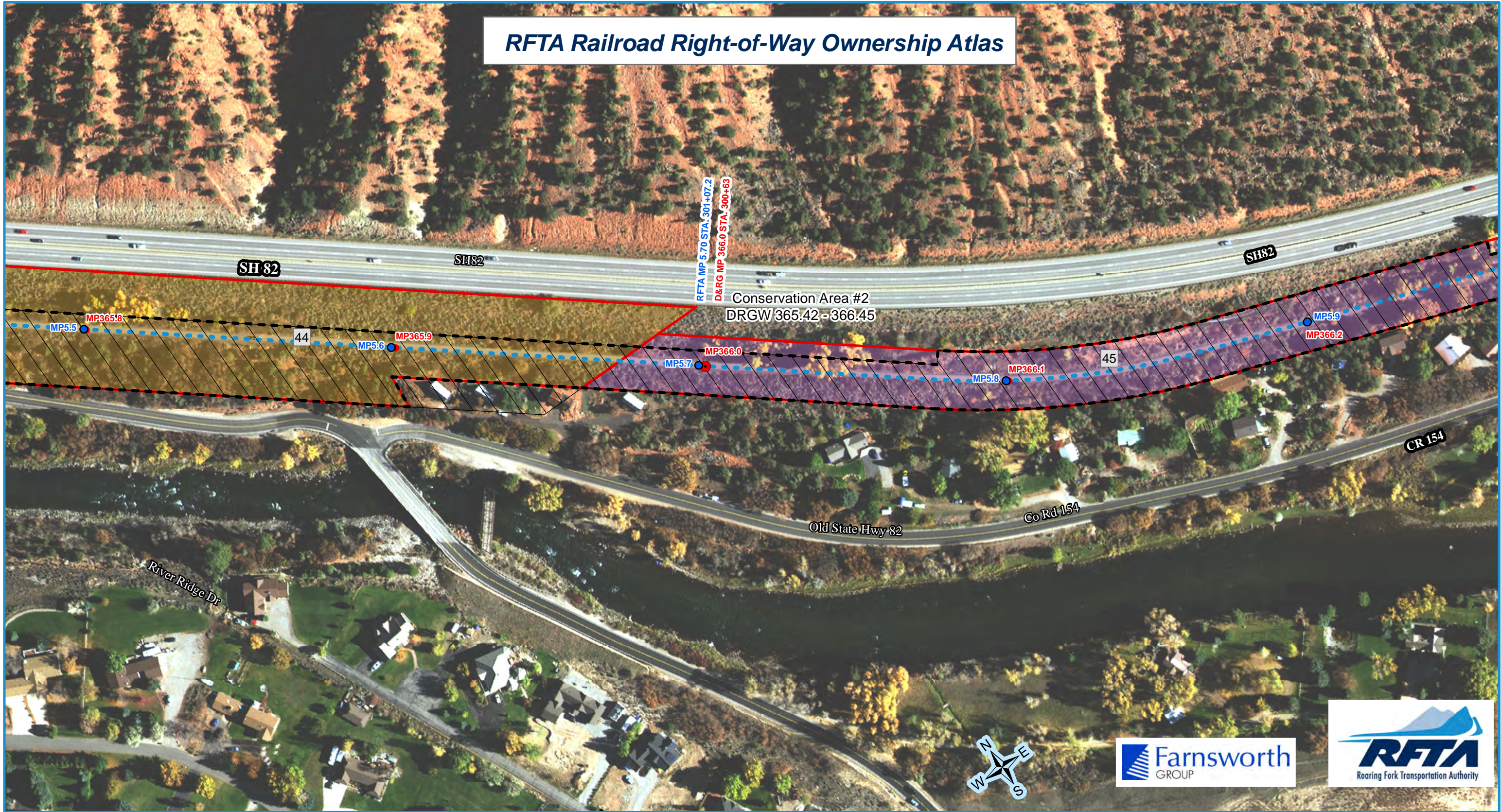


Photo – location #2 water along RGT shoulder from Thompson Glen Ditch



Photo – location #3 ditch water along shoulder of RGT

RFTA Railroad Right-of-Way Ownership Atlas



- RFTA Mileposts**
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Parcel Number Label: 68

Aerial background: Hexagon Valtus Aerial Imagery - 1 foot - Sept. 2017

1 inch = 160 feet

0 50 100 Feet

0 120 Feet

0 40 80 120 160 Feet



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CONSERVATION AREA #3: Big bend in Roaring Fork River, near Cattle Creek. MM 8.28 – 8.78 (MP 368.85 – 369.0)

- No violations

CONSERVATION AREA #4: East of Aspen Glen to the Satank Bridge. MM 10.28 – 10.70 (MP 370.5 – 370.92)

- No new violations

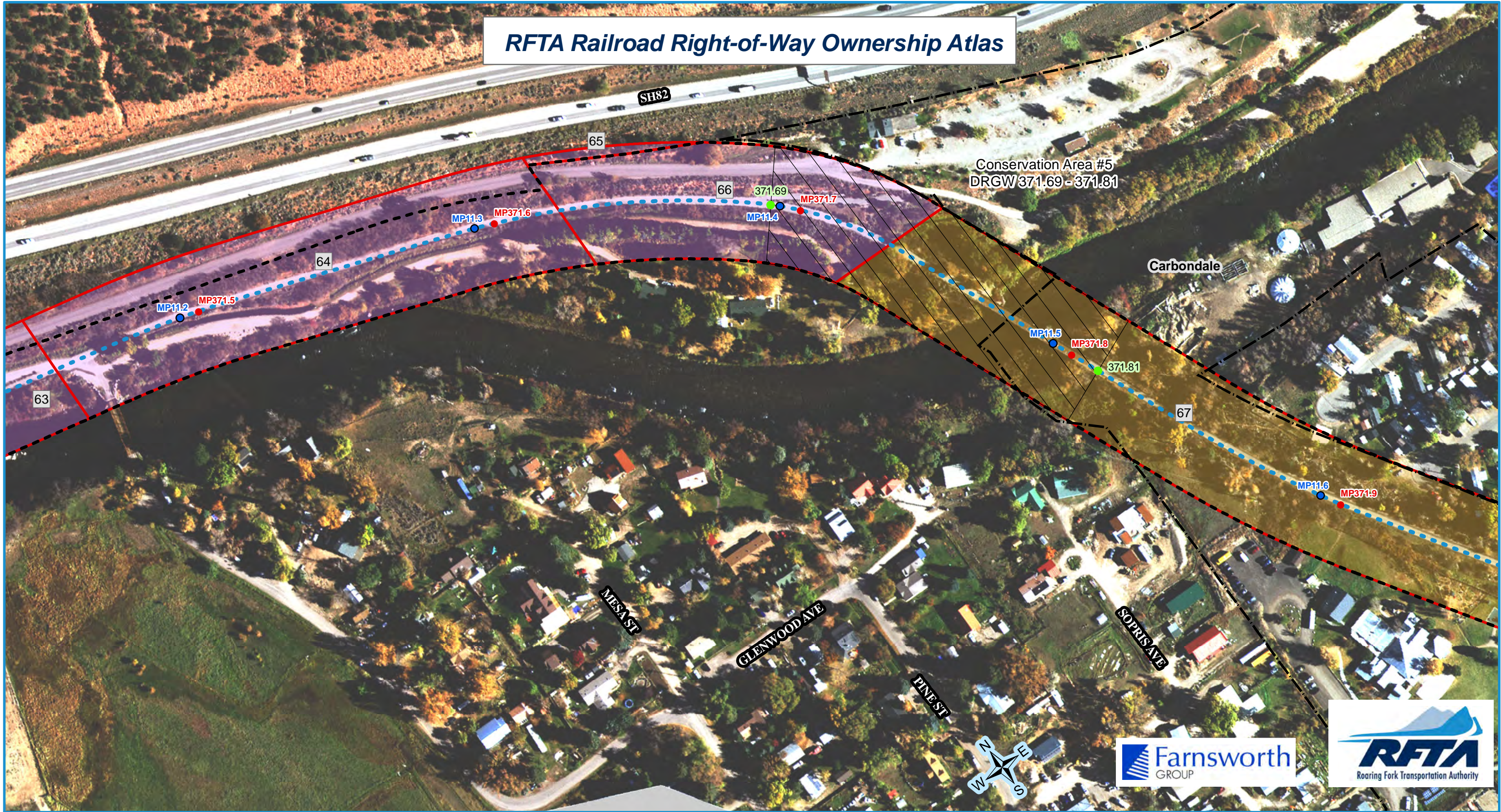
CONSERVATION AREA #5: Roaring Fork Railroad Bridge. MM 11.47 – 11.61 (MP 371.69 – 371.83)

- Category (7) Trash and Category (9) Other at MM 11.5 (MP 371.8) - Ongoing issues with vandalism/graffiti, and trash under the bridge.



Photo of the RF Rail Bridge and an example of the graffiti.

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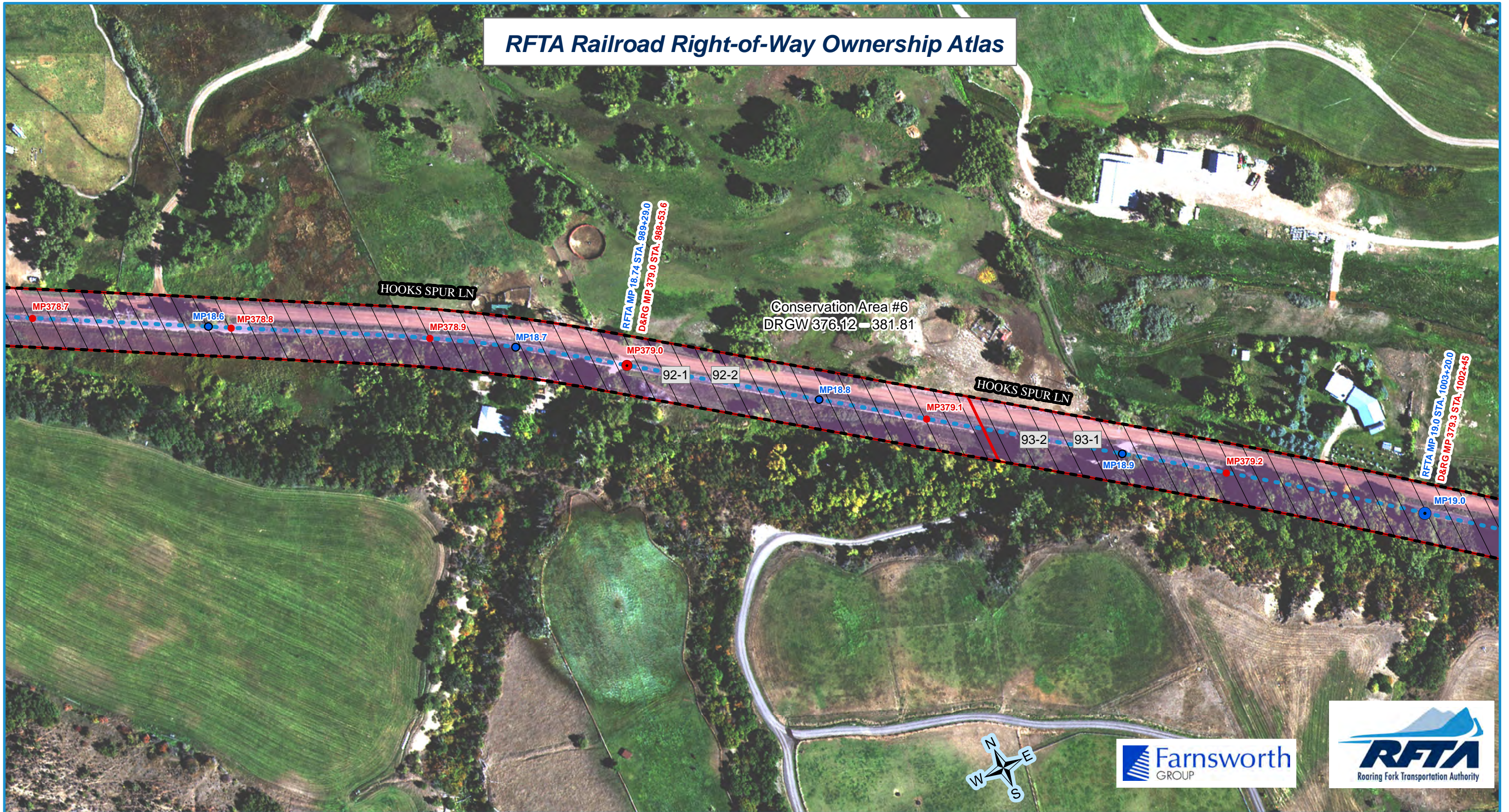
CONSERVATION AREA #6: Catherine Store Bridge up to Sopris Creek. MP 15.92 – 21.6 (376.14 – 381.82)

- **Category (1) Construction of Buildings and/or Other Structures at MM 18.9 (MP 379.15)** - The trash house on RFTA ROW has not been moved off the corridor. See photo below.



Photo – Trash House on RFTA ROW

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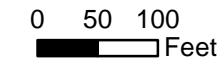
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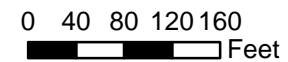
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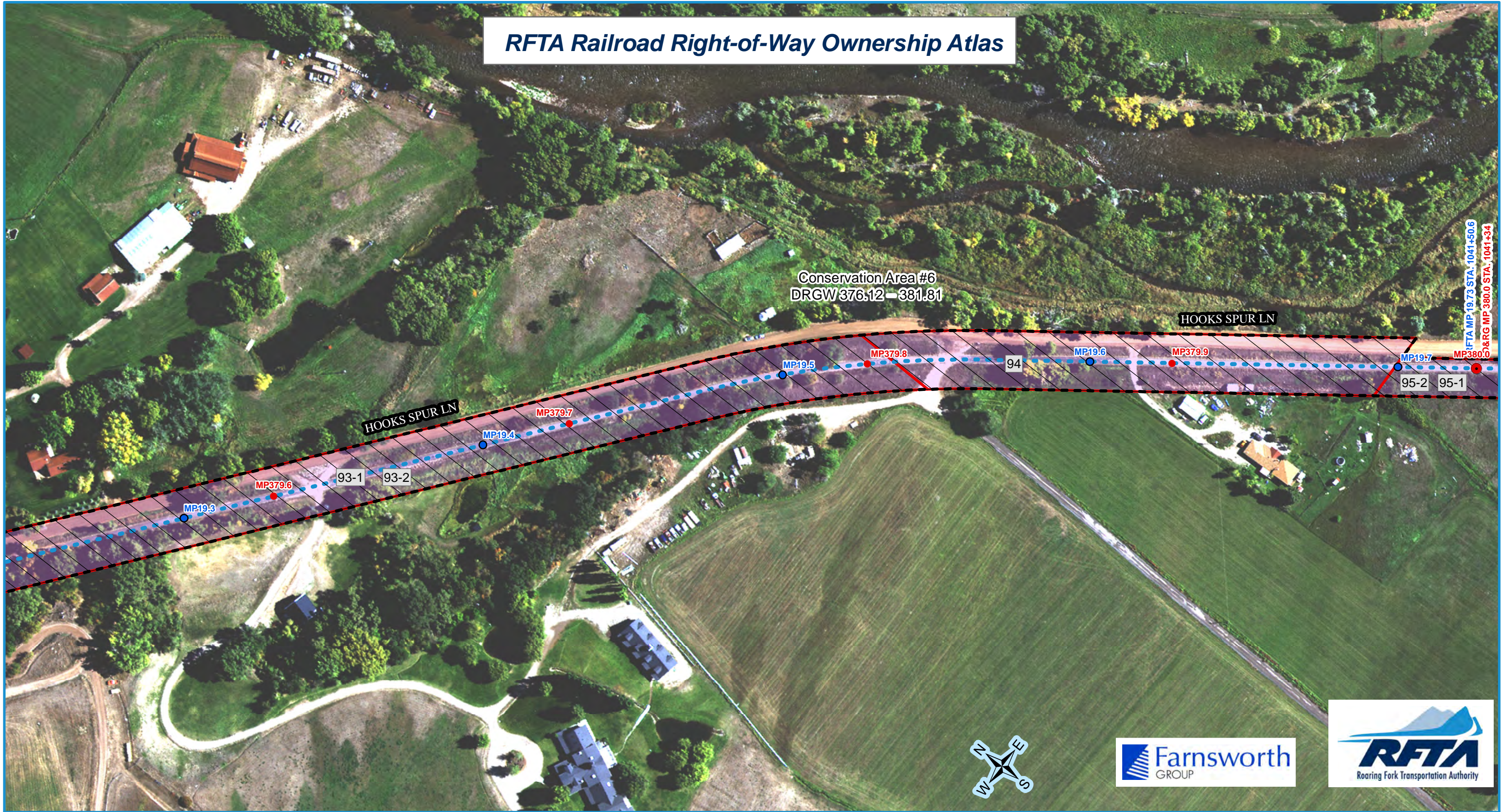
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- **Category (1) Construction of Buildings and/or Other Structures at MM 19.63 (MP 379.9) - Barn, berm, fence, and outbuilding on RFTA Property.** Staff has been coordinating with the Property owner and working towards a resolution.



Photo - View of berm, barn, and old fence located in corridor. Goats worked the property line, so it's pretty easy to see encroachment.

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CONSERVATION AREA #7: Sopris Creek to Wingo Junction. MP 21.97 – 24.68 (382.19 – 384.90)

- **Category (3) New Crossings, Structures and/or Crossing Improvements at MM 24.52 (MP 384.8)** - The Roaring Fork Club continues to use RFTA ROW for their golf course operations, without coordination or permission. See photo below of a 2022 rail crossing that was installed without coordination/permission.



Photo –rail crossing still in place from 2022

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CONSERVATION AREA #8: Wingo Junction to the Dart Ranch (Lower Snowmass Canyon). MP 24.68 – 27.83 (384.90 – 388.05)

- **Category (6) Paving and Road and Trail Construction at MM 25 – 25.15 (MP 385.25 to 385.4) –** A neighbor constructed a private connection to the RGT in 2021 with no signs of removing. This is not the only house in this neighborhood to create a soft surface trail (and other improvements) from their backyard up to the RGT, however this particular one is the most intensive/offensive. Do we need to ask the entire neighborhood to remove individual trails (and other improvements) and consolidate into 1 access? See photos below.
- **Category (2) Fences –** multiple neighbors also have fences encroaching

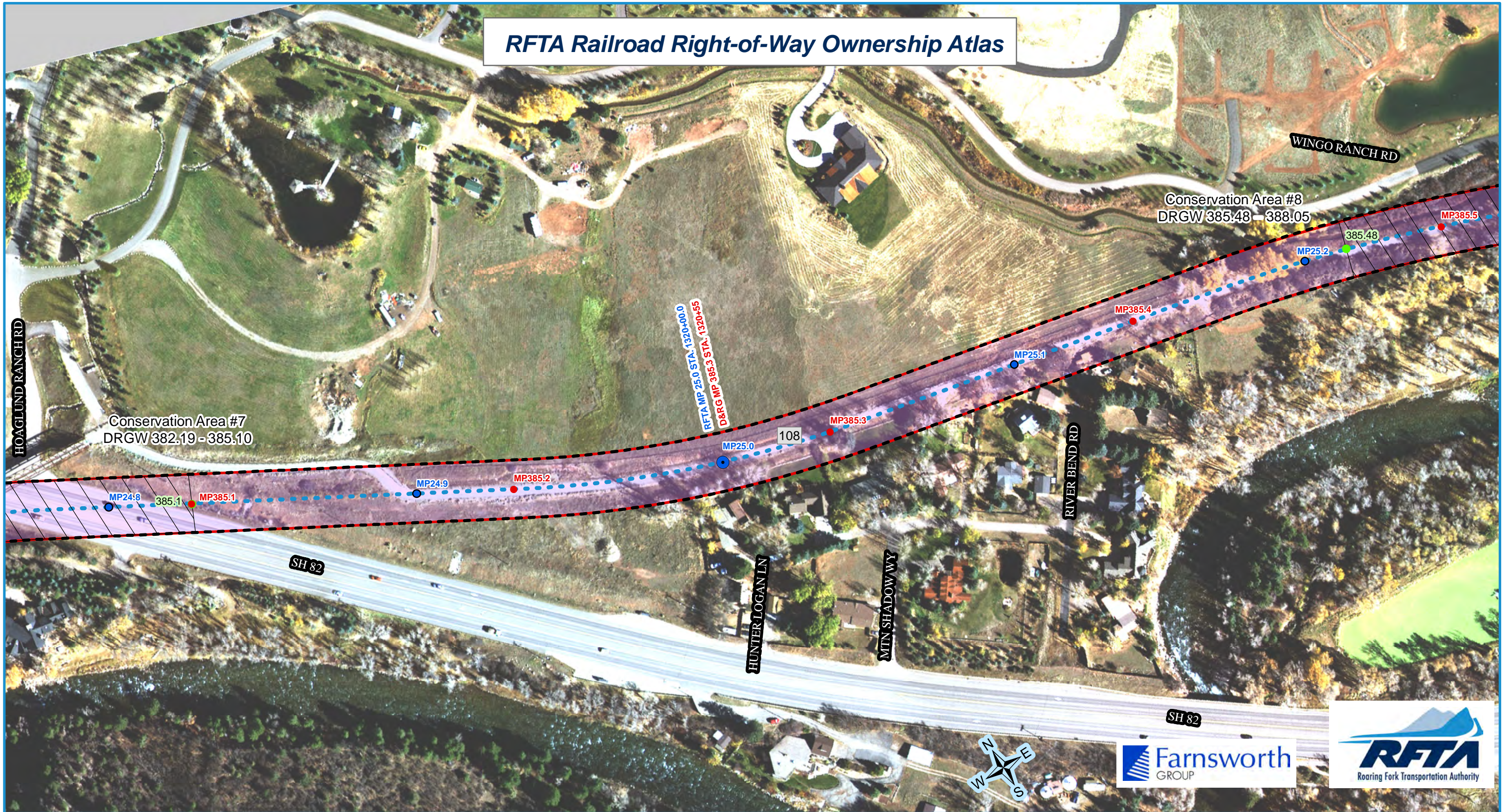


Photo – private trail connection and other improvements



Photo – another example of an existing private trail connection, however, there is a new concrete “landing” at the bottom of the hill/trail where it connects to the road. Perhaps they are consolidating trail access?

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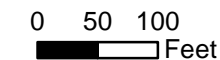
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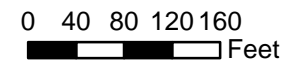
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- **Category (1) Construction of Buildings and/or Other Structures at MM 27.15 (MP 387.5)** – Early this summer, Pitkin County Open Space and Trails accidentally installed an electrical connection box/system (for irrigation on Open Space Property) on RFTA ROW. Because they did not get permission, RFTA notified them and are working towards a resolution. They have since removed the 2022 encroachments and seeded the property from that disturbance. See photos below.



Photo – electrical system

- **Category (2) Fences at the same property** – Livestock fence on RFTA ROW

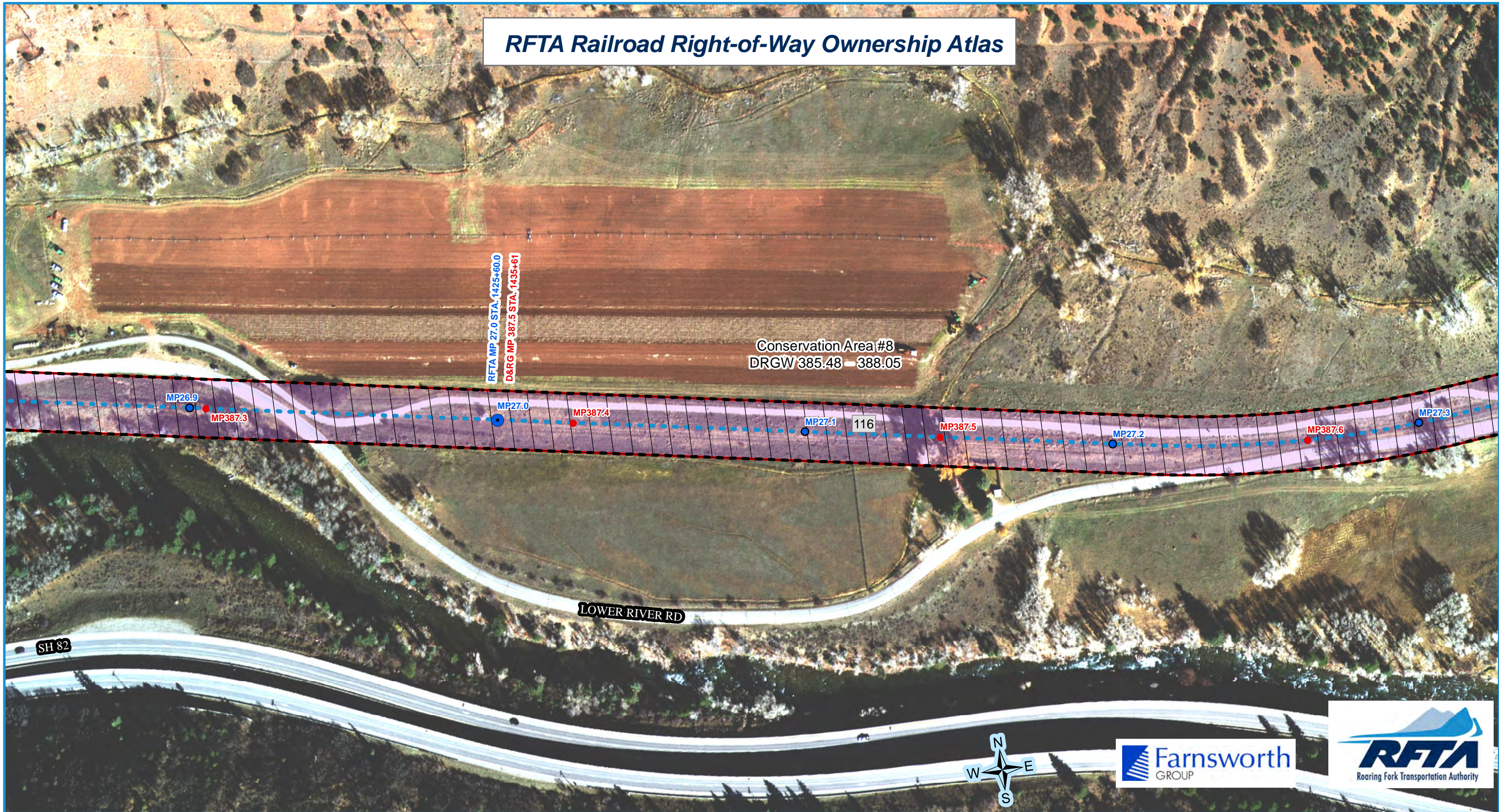


Photo – livestock fence on RFTA ROW



Photo – site “restored” in September 2022

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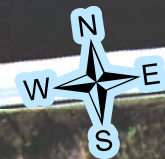
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CONSERVATION AREA #9: Phillips Curves to Woody Creek Rd. MP 30.36 – 33.45 (390.58 – 393.67)

- **No new violations.**

CONCLUSIONS:

Overall Staff feels that the Rail Corridor and Trail are in great condition. However, we are still having problems with neighbors not respecting property boundaries or going through the approval process. Ditch companies have the right to maintain their ditch, but should the burden of their leaks and spoils (and resulting weeds) be placed on RFTA? Staff continuous to work with our attorney to develop a reasonable system to remedy encroachments ASAP. RFTA Rio Grande Trail staff will continue building relationships with our neighbors and work hard to keep the values of the conservation areas intact.

Please let me know if you have any questions.

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970.384.4975