



United States Department of the Interior

BUREAU OF RECLAMATION
Upper Colorado Region
Western Colorado Area Office
2764 Compass Drive, Suite 106
Grand Junction, CO 81506

IN REPLY REFER TO:

WCG-ASchroeder
LND-6.00

AUG 13 2013

Mr. Christian Reece
Chairman
Planning Commission
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Subject: 2013 Draft Grand Valley Trails Master Plan (Grand Valley Project, Colorado)

Dear Mr. Reece:

This letter and the enclosed comments serve as the Bureau of Reclamation's remarks regarding the 2013 Draft Grand Valley Trails Master Plan (Plan) as currently on the Mesa County Regional Transportation Planning Office website (8/6/13). It also serves to provide you with the criteria Reclamation will use in determining whether or not a detached path is allowed along Reclamation facilities.

The Plan, as currently written, could affect several features associated with Reclamation's Grand Valley Project, including but not necessarily limited to the Government Highline Canal, and the Orchard Mesa Irrigation District Canals 1 and 2, associated drains, laterals, and operation and maintenance (O&M) roads. Reclamation's comments are enclosed.

As you may know, the Grand Valley Project is a Federal irrigation project authorized and constructed by the United States and under the jurisdiction of Reclamation. The Grand Valley Project is operated and maintained under contract by two managing entities. The Grand Valley Water Users Association (Association) operates the Government Highline Canal system and the Orchard Mesa Irrigation District (District) operates the Orchard Mesa system.

The United States holds a mixture of fee simple and easement right-of-way land interests for the Grand Valley Project and its associated facilities.

The use of Reclamation's O&M roads by anyone other than Reclamation and its managing entities may be considered a trespass. This measure is necessary for the long-term safety of the facilities, to protect the public, and to minimize liability for the United States and its managing entities.

However, Reclamation is open to trail development on or near Reclamation project lands if such development does not interfere with the operation and maintenance of the water project and does not increase liability to its managing entities and the United States. In addition, Reclamation will require

the concurrence of the Association and the District before we will consider a trail on any Reclamation O&M road.

For Reclamation to consider providing public access on any O&M road associated with any of its water projects, the following provisions must be addressed by the entity requesting the access:

1. There must be an established, legal entity that assumes all responsibility and liability for the trail and all associated maintenance costs.
2. The trail entity must carry liability insurance to protect against damages and lawsuits and must agree to indemnify and hold harmless the United States, the Association, and the District.
3. The trail entity must provide plans and specifications, including necessary signs and trail head parking facilities. The plans must be approved in advance by Reclamation, the Association, and the District.
4. The trail entity must provide law enforcement.
5. The trail entity needs to obtain written consent from underlying land owners when the United States holds an easement or right-of-way for the O&M road.
6. As part of the proposal, the trail entity will need to conduct a public review process and complete any associated National Environmental Policy Act requirements that may be necessary for Reclamation to consider the request. All costs associated with these activities will be paid for by the trail entity. In addition, Reclamation's administrative expenses associated with the proposal will need to be reimbursed and a land use fee may be imposed. Payment of said costs and expenses does not guarantee approval of the request.
7. If the proposal is accepted by all parties involved, a license agreement will need to be executed between the United States and the trail entity.
8. Other provisions may include, but are not limited to, the following: Water related activities will not be allowed and all trail use shall be non-motorized. All other uses not authorized shall be prohibited.

Please contact Kathleen Ozga at 970-248-0649 or Alan Schroeder at 970-248-0692 if you have questions or need additional information.

Sincerely,



Ed Warner
Area Manager

Enclosure

cc: Mr. John Justman
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Comments on the 2013 Draft Grand Valley Trails Master Plan
Western Colorado Area Office
Bureau of Reclamation
August 7, 2013

1. The Plan, as presented on the Mesa County Regional Transportation Planning Office website (8/6/13), appears to be little more than a description of the types of trails and existing or proposed routes being considered. There is no implementation plan or priorities for implementation. There is very little information on right-of-way acquisition and concurrence processes and, what there is, is incomplete. There is no clear indication of who will construct, operate or maintain the facilities identified in the Plan. There is no clear indication of the links or relationships of the Plan to Mesa County's Master Development Plan and its various Community Development Plans or the City of Grand Junction's Comprehensive Plan. There is no identified link or other reference to the required dedication of rights-of-way or construction by developers for furtherance of adopted plans, such as this one, pursuant to the Mesa County Development Code and the City of Grand Junction Municipal code. There was no indication of the process by which Mesa County, the Town of Palisade, and the City of Grand would adopt the Plan.
2. Although Plan text in several places, indicates that the proposed trails or detached path alignments (as shown on the maps) are general or are conceptual only, many of them follow the exact alignments of canal or irrigation drain rights-of-way, including some of Reclamation's. Also, in the table on page 4, nearly 190 miles of proposed canal paths are identified. Those facts suggest that those alignments are not merely conceptual.
3. Reclamation's lands were not identified on the maps.
4. No criteria for development of detached paths along irrigation or drainage facilities is identified. We had commented on the draft Plan presented at the June 4th Open House regarding a statement of the criteria to be met for trails/paths along Grand Valley Drainage District (GVDD) drains. Our comment was that there were no similar statements for the various canal and irrigation companies, even though several irrigation company canals and drains are shown as proposed trail routes. We also provided the criteria by which Reclamation would consider trails on our irrigation project operation and maintenance roads. Our intent was not that the GVDD criteria be removed, but that criteria for the various canal and irrigation companies and ours be added.
5. There was no indication of the issues or concerns regarding trails along irrigation canals and drains or the attempts or procedures to resolve them in a manner satisfactory to all stakeholders.