

**GRAND JUNCTION CITY COUNCIL
WORKSHOP AGENDA**

**MONDAY, DECEMBER 17, 2001, 7:00 P.M.
CITY HALL AUDITORIUM, 250 N. 5TH STREET**

MAYOR'S INTRODUCTION AND WELCOME

7:00 **COUNCILMEMBER REPORTS**

7:10 **CITY MANAGER'S REPORT**

7:15 **REVIEW OF FUTURE WORKSHOP AGENDAS** [Attach W-1](#)

7:20 **REVIEW WEDNESDAY COUNCIL AGENDA**

7:30 **URBAN TRAILS COMMITTEE:** Committee members will update City Council on their work and trails issues. [Attach W-2](#)

8:00 **DTA VENDORS FEE:** The Downtown Association will present a proposal for the vendors fee. [Attach W-3](#)

8:30 **WATER LINE REPLACEMENT DEBT FINANCING PROPOSAL:** Public Works staff will discuss the possibility of incorporating water line improvements in the downtown area with the combined sewer separation project. [Attach W-4](#)

WRITTEN REPORT

STORM WATER UTILITY ISSUE: Public Works staff has included a written report in the packet dealing with the storm water utility issue. [Attach W-5](#)

9:00 **ADJOURN**

This agenda is intended as a guideline for the City Council. Items on the agenda are subject to change as is the order of the agenda.

**Attach W-1
Future Workshop Agendas**

FUTURE CC WORKSHOP AGENDAS

DECEMBER 31, MONDAY 7:00 PM: CANCELED

JANUARY 14, MONDAY 7:00 PM:

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA & REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 MESA COUNTY TOBACCO EDUCATION COUNCIL: will update Council regarding their education efforts and the youth tobacco ordinance
- 7:45 JOINT WORK SESSION WITH PLANNING COMMISSION:

FEBRUARY 4, MONDAY 7:00 PM:

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA & REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 OPEN

FEBRUARY 18, MONDAY 7:00 PM:

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA & REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 OPEN

MARCH 4, MONDAY 7:00 PM:

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA & REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 OPEN

MARCH 18, MONDAY 7:00 PM:

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA & REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 OPEN

FUTURE WORKSHOP ITEMS

First Priority

1. CITY COUNCIL WORK PROGRAM QUARTERLY REPORT (*March?*)
2. CABLE TELEVISION FRANCHISE
3. POLICY FOR FUNDING OUTSIDE GROUPS

Second Priority

4. SOLID WASTE COLLECTION IN NEWLY ANNEXED AREAS
5. BOTANICAL SOCIETY MASTER PLAN
6. DARE & SCHOOL RESOURCE PROGRAMS
7. HAZARDOUS DEVICE TEAM
8. FORESTRY OPERATIONS
9. PARKS/SCHOOLS COOPERATIVE AGREEMENTS
10. ELECTRONIC RECORDS MANAGEMENT SYSTEM:
11. LIQUOR LICENSING PROCEDURES
12. CRIME LAB
13. HAZMAT
14. GOLF OPERATIONS
15. CODE ENFORCEMENT OPERATIONS

**Attach W-2
Urban Trails Committee Update**

URBAN TRAILS COMMITTEE
HISTORY

- 6/15/94 - Grand Junction City Council Resolution. Establish a Grand Junction Trails Board.
- Fall 1994 - Joint meeting City of Grand Junction and Riverfront Commission. Decision to establish a Trail committee under the Riverfront Commission umbrella.
- 1/95 - Riverfront Commission Retreat. Establish parameters for the Urban Trail Committee.
Urban area 19 Road to 32 Road
5 to 9 members
Include member Parks Board, ex-officio, County
Project oriented, include connection to the Riverfront system
General Thoughts - Group needs to be pro-active and aggressive.
- 2/95 - Interviews
- 3/95 - First meeting
- 4/11 & 25/ 95 - Fact gathering and shake down. Found did not have to reinvent the wheel.
Plans in place. Just need to coordinate and advocate.
- 1995 Develop top ten priorities
BOR grant and City/County match for a canal trail study
- 1996 Completed Colinas del Valle study at request of Grand Junction
Completed canal bank use study and written report
Helped sponsor Walkable Communities Workshop 9/96
Recommended transfer of Little Park Reserve from BLM to City of Grand Junction
Supported need for an underpass on Broadway at Ridges Blvd. Built 1997.
- 1997 Urban Trail Plan approved by Grand Junction and Mesa County
Expanded Committee to 9 members
Constructed ½ mile trail connecting Four Seasons to Liberty Cap trail on BLM
Guest editorial (Sentinel) Canal Bank Trails
Held First Retreat 11/97
- 1998 Community Awareness Committee added
Canal White Paper and Draft letter to resident owners
Draft canal trail operating plan
Selected an Urban Trail logo
Enjoyed our first budget - \$400.
Help sponsor Bike to Work day

- 1999 Participated in City of Grand Junction “Grand Junction Canal Roadways Use Study”
Worked with Redlands Water & Power to help develop their Canal Roadway Use policy.
- 2000 Redlands Water & Power Board of Directors approved their “Policy No. 8 – Use of RW&P Canal Rights-of-Way For Recreational And Trail Purposes
Began Effort to update and revise Urban Trails Master Plan
Ongoing Discussions with Grand Valley Irrigation Company regarding canal roadway recreational use begun
- 2001 City of Grand Junction Planning Commission Approves revisions to Urban Trails Master Plan, Mesa County Planning commission still considering approval

Grand Junction Canal Roadways Use Study

Grand Junction Canal Roadways Use Study

Prepared For

City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501
(970) 244-1501

Prepared By

BBC Research & Consulting
3773 Cherry Creek N. Drive, Suite 850
Denver, Colorado 80209
(303) 321-2547

Section I. Introduction

Background.....	I-1
Objectives	I-2
Methodology.....	I-3
Report Organization.....	I-5

Section II. Demand for Public Use of Canal Roadways

Current Local Use and Users.....	II-1
Local Desire for Public Access	II-10
Willingness to Pay.....	II-12
Key Person Interviews	II-16

Other Community Experiences	II-16
Summary.....	II-17

Section III. Property Owner Responses

Property Owners Users & Non-Users	III-1
Willingness to Allow Public Use	III-5
Incidents.....	III-12
Concerns.....	III-14
Willingness to Pay.....	III-15
Summary.....	III-18

Section IV. Key Person Interviews

General Comments.....	IV-1
Conditions of Public Use	IV-3
Willingness to Pay.....	IV-4
Suggested Next Actions.....	IV-5
Summary.....	IV-6

Section V. Comparables Analysis and Secondary Research

Colorado Communities	V-1
Canal/Irrigation Companies	V-6
Secondary Research Findings	V-10
Summary.....	V-13

Section VI. Summary of Findings

Public Demand.....	VI-1
Property Owner Responses	VI-2
Key Person Interviews	VI-3
Comparables Analysis	VI-3

Appendices

List of Interviewees	A-1
Resident Survey Instrument.....	B-1
Property Owners Survey Instrument.....	C-1

Background

In December 1998, BBC Research & Consulting was retained to research, prepare, conduct and analyze results of a study of citizens and affected parties to accomplish the following:

- Determine the demand for public use of existing maintenance roadways along the canals and ditches of the water conveyance systems in the City, and specifically, determine the public demand and willingness to have tax funding pay for long term mitigation of use of the canal/ditch maintenance roadways for transportation and/or recreational uses.
- Determine from canal and irrigation entities conveying 50 c.f.s. or more at their main diversion facilities in Colorado how they address the issues of transportation and/or recreation uses on the maintenance roadways along their canals and ditches.
- Determine the willingness of property owners along the canals and ditches to allow public use of the canals.

Objectives

The specific objectives of this study, along with corresponding tasks completed (described later in this section) are listed below.

Responsibilities	Task
Collect studies in Colorado dealing with relevant issues.	Secondary research
Survey current public users and non-users of canal roadways. Determine demand and willingness to pay.	Resident telephone survey
Determine demographics of current public users.	Resident telephone survey
Estimate anticipated effect of public use on canal operation and maintenance.	Resident telephone survey Key person interviews
Research the number of incidences of conflicts between canal company employees and public users.	Resident telephone survey Key person interviews
Compare perceived benefits and costs to actual experiences in other Colorado communities.	Comparables analysis
Summarize other canal company experiences.	Comparables analysis
Survey property owners to determine willingness and conditions for use.	Property owners mail survey

Methodology

In completing this study, BBC coordinated work scope, interview and survey instruments, and discussions of findings with a canal roadways team that included representatives from the City of Grand Junction, the Urban Trails Committee, and the Colorado Riverfront Commission, as well as from the following canal/irrigation companies: Grand Valley Irrigation Company, Grand Valley Water Users Association, Orchard Mesa Irrigation Company, and Redlands Water and Power.

The tasks completed in this study are described below.

Key person interviews. Individuals were interviewed who represented the City of Grand Junction, the Urban Trails Committee, the Colorado Riverfront Commission, the Grand Valley Irrigation Company, Grand Valley Water Users Association, Orchard Mesa Irrigation and Redlands Water and Power. Their perceptions were obtained regarding such issues as the nature and extent of current public use of canal roadways, their thoughts and concerns regarding future use of the roadways, conditions under which they might support public use of canal roads, and willingness to pay considerations. A list of individuals interviewed is included as Appendix A.

Comparables analysis. The work scope for this study included interviews with communities throughout the State of Colorado to obtain information about their experiences with public use of canal roadways. The comparables analysis also included interviews with canal and irrigation companies in the state, to determine the effect that public use of canal roads has had on their operations and to evaluate any resulting benefits and costs of such use. Appendix A lists the entities interviewed in the comparables analysis.

Secondary research. A secondary research effort was undertaken to identify if any studies have been conducted in the state of Colorado related to this issue.

Grand Junction resident telephone survey. A telephone survey of a sample of Grand Junction residents was conducted to determine the extent and nature of public use of canal roadways, identify the demographics of public users, and gather additional information. The survey instrument is included in this report as Appendix B.

BBC surveyed 400 Grand Junction residents using a random sampling technique called random digit dialing, where a computer randomly selects and dials residents within the City of Grand Junction.

Population and income characteristics of the survey respondents were statistically compared to population and income estimates of City residents obtained from Applied Geographic Solutions, to ensure that our random sample was generally representative of the overall Grand Junction population. This comparison confirmed that the sample of residents contacted had a similar age distribution as the overall Grand Junction population. We also compared the self-reported income levels obtained from the survey respondents to population estimates and found that the income levels of the sample of residents contacted is comparable to the overall Grand Junction population for households earning \$25,000 or more, but slightly underrepresented those households making less than \$25,000 per year.

The sample size for the resident telephone survey allows us to be 95 percent confident that the findings are representative of the overall Grand Junction population, plus or minus 6 percentage points.

Property owners mail survey. Finally, BBC conducted a mail survey of property owners to determine the current use of canal roadways, their potential willingness to allow public use of canal roadways on their property, and possible conditions for such use. A survey instrument is included as Appendix C.

The City of Grand Junction mailed 517 written surveys to owners of property adjacent to the canals. The mailing list was obtained from the four affected irrigation companies. Eleven surveys were returned to the sender as undeliverable. BBC received 249 responses, and eliminated 12 responses because respondents noted that either their property was not adjacent to the canals or that they did not have a canal roadway adjacent to their property. Therefore we obtained a total of 237 usable responses to analyze for this study, which represents a 47 percent response rate.

Report Organization

The next section of this report summarizes the demand for public use of canal roadways, based upon the resident telephone survey, key person interviews, and comparables analysis. Section III discusses the property owners' responses.

Section IV summarizes information gained in the key person interviews that were conducted with representatives from the City, Urban Trails Committee, Colorado Riverfront Commission and the four local canal companies. Section V provides an overview of information gathered in the comparables analysis with Colorado communities and irrigation companies and summarizes the results of the secondary research effort. And finally, Section VI represents a brief summary of findings and conclusions.

Current Local Use and Users

Grand Junction residents' interest in using the canal roadways was estimated in several ways. First, a telephone survey was conducted with a random sample of Grand Junction residents. Four hundred residents were asked about their past use of the canal roadways, their interest in future use, their willingness to pay, and other key issues. The survey instrument was drafted by BBC and approved by the canal roadways team.

In addition to the telephone survey, BBC completed key person interviews with representatives from the four affected canal and irrigation companies, the City of Grand Junction, the Urban Trails Committee, and the Colorado Riverfront Commission. Individuals were asked about their perceptions of the demand for public access to the canal roadways and the potential impacts of such access.

BBC also completed telephone interviews with a number of communities throughout the state of Colorado that have canal systems in place, as well as with canal and irrigation companies around the state. Among other topics, interviewees were asked about their experiences with public use of canal roadways.

Findings regarding demand for public use of canal roadways are presented in this section. First we present findings from the resident telephone survey.

Responses from 400 residents of Grand Junction who were aged 18 or older were gathered via a telephone survey. Of the respondents surveyed:

- 31 percent, representing about 9,200 adults or 12,000 total Grand Junction residents,¹ replied that they or someone within their household uses the canal roadways. Nearly two-thirds of these users (65 percent) were aware that their use constituted illegal trespassing.

¹ Estimates are based on a City population of 39,300 persons (adult population of 29,900), per Applied Geographic Solutions, 1998. The actual number of users may be higher or lower by as much as 6 percent due to random sampling errors, canal use by more than one member of a household and use by children.

- 68 percent of respondents replied that neither they nor members of their household used the canal roadways.
- About 1 percent of respondents replied that they were not aware of the existence of the roadways.

Current roadway use by type of use. Of those respondents who use the canal roadways (31 percent of all respondents), two-thirds use the roadways for a single type of use. Recreational walking was the most popular type of single use mentioned and recreational biking was second. The remaining third of roadway users mentioned multiple uses for the roadways, such as walking their pets, jogging, and biking.

A small minority of users utilizes the canal roadways to walk or bike to work or school.

Exhibit II-1 summarizes the estimated roadway usage by type of use.²

² Responses were not gathered from children under 18 because of the nature of the survey. However, 0.8 percent of users either biked or walked to school. This implies an estimated 73 high school seniors or post secondary students currently use the roadways for commuting to school. Roadway use by primary and secondary students walking to school would likely be greater; BBC estimates that there are approximately 2,700 children between the ages of 10 and 17 that might live within ½ mile of the canal roadways. However, actual use would likely depend on distance from school and parental willingness.

**Exhibit II-1.
Resident Use of Canal Roadways**

<u>Type of Use</u>	<u>Survey Response</u>	<u>Estimated City-Wide Use</u>
Single Use		
Recreational Walking	13.0%	3,883
Pet Walking	1.3%	388
Jogging	1.3%	388
Recreational Biking	2.3%	687
Access to Property	0.8%	239
Farm Equipment Use	1.3%	388
Walk to Work	0.0%	0
Bike to Work	0.5%	149
Walk to School	0.0%	0
Bike to School	0.0%	0
Estimated City-Wide Use	20.5%	6,123
Multiple Use		
Recreational-Related Uses*		
2 uses	5.3%	1,583
3 uses	2.3%	687
4 uses	1.3%	388
Walk and Bike to Work	0.8%	239
Walk and Bike to School	0.5%	149
Estimated City-Wide Use	10.2%	3,046
Estimated Total City-Wide Use	30.7%	9,169

* Recreation-related uses includes walking, jogging, biking, and pet walking.

Note: Data include adults 18 and over only.

Source: Grand Junction Resident Telephone Survey, March 1999.

Demographics of current users. Approximately 84 percent of canal roadway users are between 25 and 65 years old. Although persons older than 65 comprise approximately 21 percent of the city's population, they make up only 7 percent of canal roadway users.

Exhibit II-2 presents an estimation of city-wide use by age. Age categories are expressed as a percentage of total surveyed roadway users.

**Exhibit II-2.
Age Characteristics of Roadway Users**

<u>Population by Age</u>	<u>Percent of Users</u>	<u>Estimated City-Wide Use</u>
18 to 24	8.9%	816
25 to 45	46.3%	4,245
46 to 65	37.4%	3,429
above 65	7.3%	669

Note: About 31 percent of respondents reported using the canal roadways. Data include adults 18 and over only.
Source: Grand Junction Resident Telephone Survey, March 1999.

A slightly larger proportion of current roadway users come from high income households (over \$50,000 per year) than the other household income groups. Exhibit II-3 illustrates that just over one-third reported household incomes between \$25,000 and \$50,000. Households in this income category comprise about 28 percent of the City's population. Approximately 38 percent of canal roadway users reported household incomes above \$50,000; resident households in this income category comprise about 21 percent of the city's population.

**Exhibit II-3.
Income Characteristics of Roadway
Users**

<u>Income by Category</u>	<u>Percent of Users</u>	<u>Estimated City-Wide Use</u>
Less than \$25,000	27.4%	2,512
\$25,000 to \$50,000	34.9%	3,200
More than \$50,000	37.7%	3,457

Note: About 31 percent of respondents reported using the canal roadways. Data include adults 18 and over only.
Source: Grand Junction Resident Telephone Survey, March 1999.

Three additional pieces of information were gathered from canal roadway users:

- 65 percent of current users live within a half mile of a canal roadway, 20 percent live between one-half and two miles away, and about 15 percent travel two or more miles to use a roadway.
- Nearly one-third of canal roadway users (31 percent) are “frequent users,” defined as using the roadways two to three days per week. An additional 31 percent use the roadways one to four times per month, and the remainder reported using the roadways less than once per month.
- 70 percent of current users travel in groups of 2 or more people, with the remainder responding that they typically use the roadways alone.

Contacts with canal workers or property owners. Just over 10 percent of canal roadway users reported experiencing contacts with canal workers or property owners in the past year, with 3 percent reporting three or more incidences. Exhibit II-4 estimates the number of contacts between roadway users and canal employees or property owners.

Exhibit II-4.
**User Contacts with Canal Workers
or Property Owners**

Number of Contacts Experienced in Past Year	Percent of Users	Estimated City-Wide Contacts
Once	4.9%	449
Twice	2.4%	220
3 or More Times	3.2%	293
City-Wide Total	10.5%	963

Note: About 31 percent of respondents reported using the canal roadways. Data include adults 18 and over only.

Source: Grand Junction Resident Telephone Survey, March 1999.

Users generally reported three types of incidences: verbal abuse, users were asked to leave and unrelated incidences.

Verbal abuse incidences made up 31 percent of the total incidences reported in the survey and were similar to the following reports:

- *“They yelled at us and threatened legal action.”*
- *“They were verbally abusive, and they told me it was trespassing.”*

- *“A drunk landowner threatened us. He was not a nice individual.”*

Users were asked to leave on 46 percent of the occasions; examples follow:

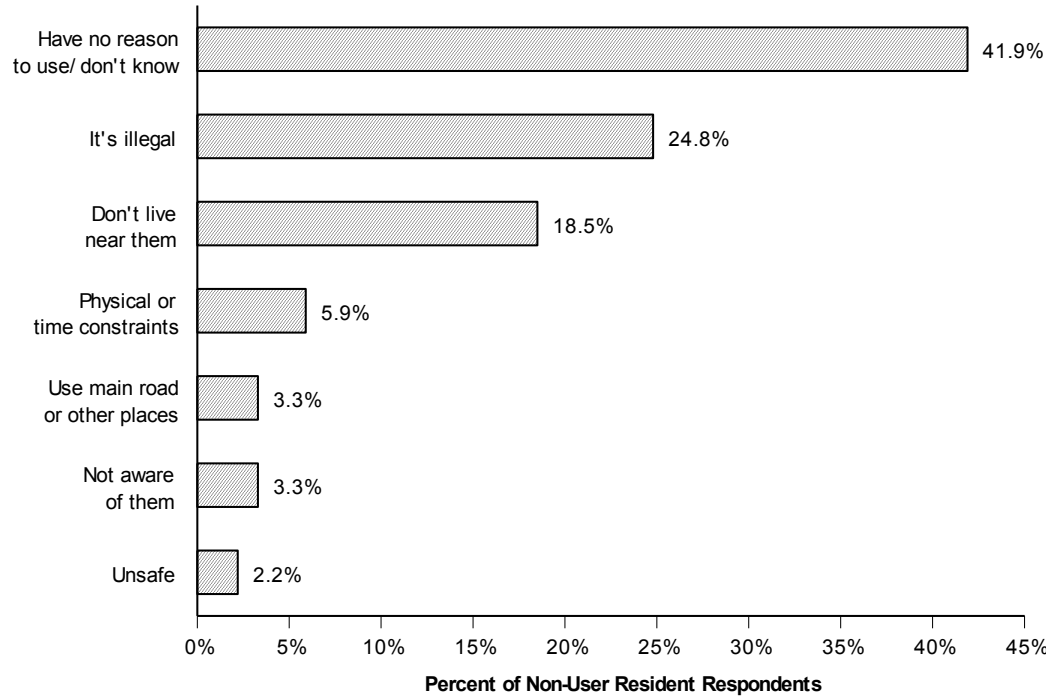
- *“They just said we weren’t supposed to be there.”*
- *“I was walking on a canal road when I was approached by a ditch worker who said not to walk on the roadway again.”*
- *“We were told it was private property and we were not to walk on it.”*

The remaining 23 percent of the reported incidences were other types of contacts, and were sometimes initiated by the roadway user. Incidents were similar to the following reports:

- *“They were checking on the ditch.”*
- *“I called them because there was a truck in the canal.”*
- *“They told me someone was cutting the water off.”*

Current non-users and reasons for non-use. Two-thirds of survey respondents, representing approximately 20,700 adults or 27,300 total residents, do not currently use the canal roadways. The primary reason given was that they had no reason to use them. Twenty-five percent of non-users replied that they did not use the canal roads because it was illegal to do so. Reasons for non-use are presented as a percentage of total surveyed non-users in Exhibit II-5.

**Exhibit II-5.
Residents' Reasons for Not Using Canal Roadways**



Note: About 69 percent of survey respondents were non-users. Data include adults 18 and over only.
Source: Grand Junction Resident Telephone Survey, March 1999.

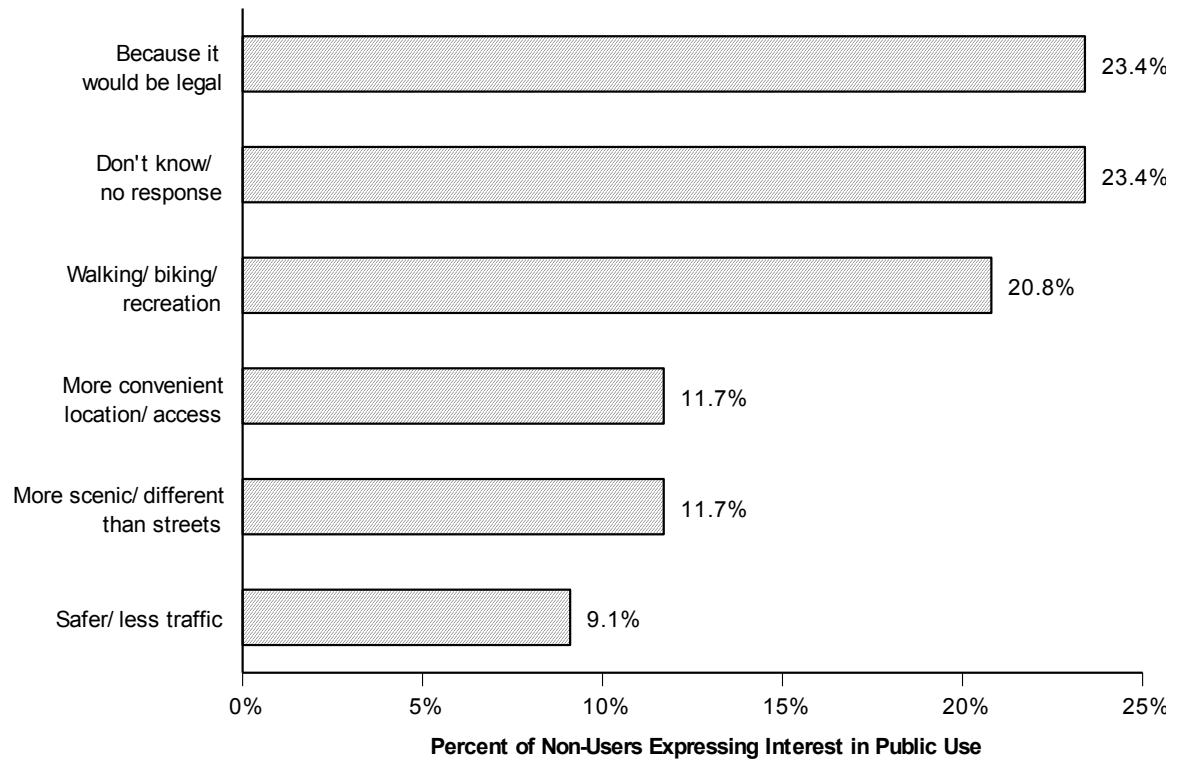
**Local Desire for
Public Access**

Local demand for public use. In addition to asking if residents currently use the canal roadways, the survey also asked residents if they would use the canal roadways if public use were allowed.

Twenty-eight percent of local non-users, representing approximately 5,700 adults or 7,600 total residents, responded that they would use the canal roadways if public use were allowed.

Nearly one-quarter of current non-users who would be interested in using the roadways if they were allowed said that they had not been previous users because they had feared being caught; they would use the roadways in the future if and when it was legal to do so. Thirty-two percent of those willing to use the roadways would like to use them because the roadways are more scenic, convenient or safe than surface roads. Responses are summarized in Exhibit II-6 as a percentage of total surveyed non-users who expressed an interest in public use.

Exhibit II-6.
Reasons for Increased Likelihood of Use if Public Use Were Allowed



Note: About 28 percent of non-user residents would use the canal roadways if public use were allowed.

Data include adults 18 and over only.

Source: Grand Junction Resident Telephone Survey, March 1999.

Exhibit II-7 summarizes that, if public use of canal roadways were allowed, approximately half of the adult population of Grand Junction, or nearly 15,000 residents, would likely use the roadways.

**Exhibit II-7.
Summary of Estimated Adult Roadway Usage if Usage Were Allowed**

<u>Usage</u>	<u>Percent</u>	<u>Estimated Grand Junction Adult Resident Population</u>
Current Estimated Number of Adult Users	31%	9,300
Estimated Additional Adult Users	<u>19%</u>	<u>5,700</u>
Total Estimated Adult Demand	50%	15,000
Estimated Adult Population of Grand Junction in		29,900

Note: Data include adults 18 and over only.

Source: Grand Junction Resident Telephone Survey, March 1999.

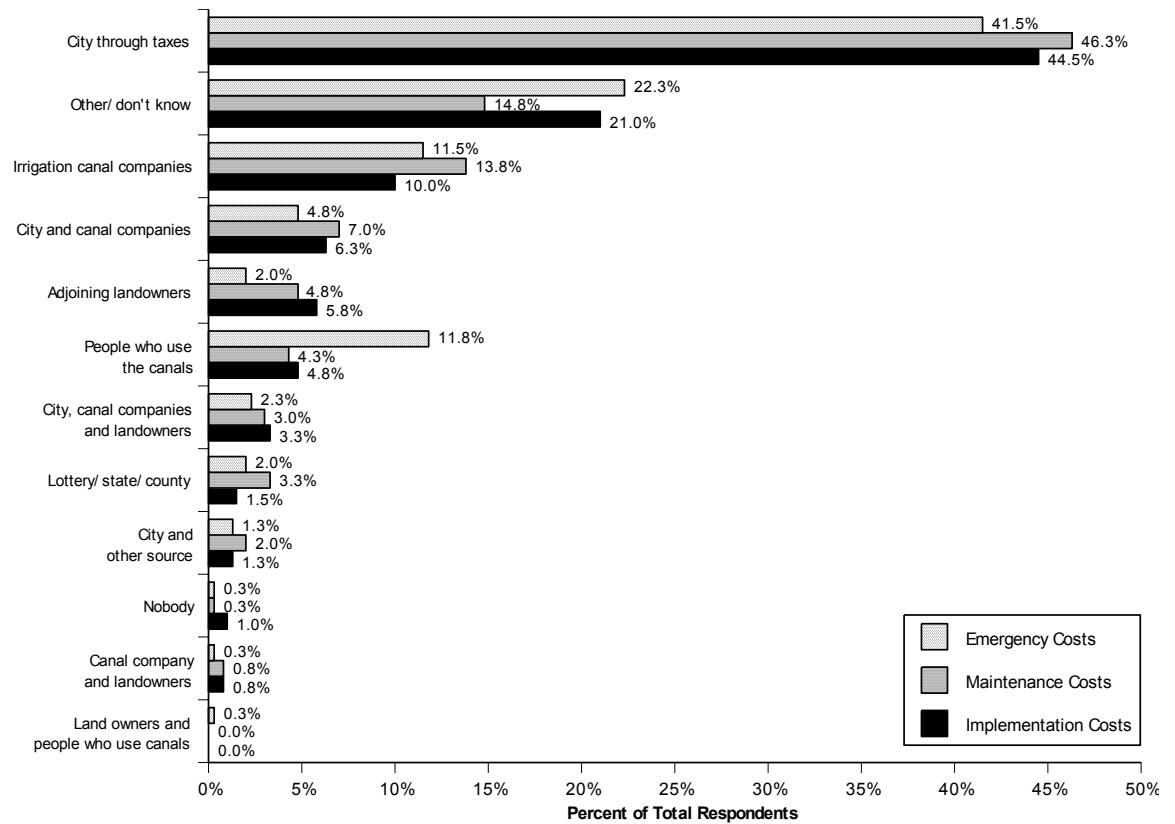
Residents were also asked about who should pay for certain types of expenses if public use were allowed on canal roadways.

Overall willingness to pay. Exhibit II-8 shows that overall, 42 to 46 percent of all survey respondents thought that the city should pay through taxes for implementation, maintenance and emergency costs for public use of the roadways.

Roughly 10 to 14 percent of all respondents wanted the canal companies alone to pay for implementation, maintenance and emergency costs, and less than 6 percent of respondents thought that adjoining landowners should pay such costs.

Willingness to Pay

**Exhibit II-8.
Public's Willingness to Pay for Implementation, Maintenance
and Emergency Costs**



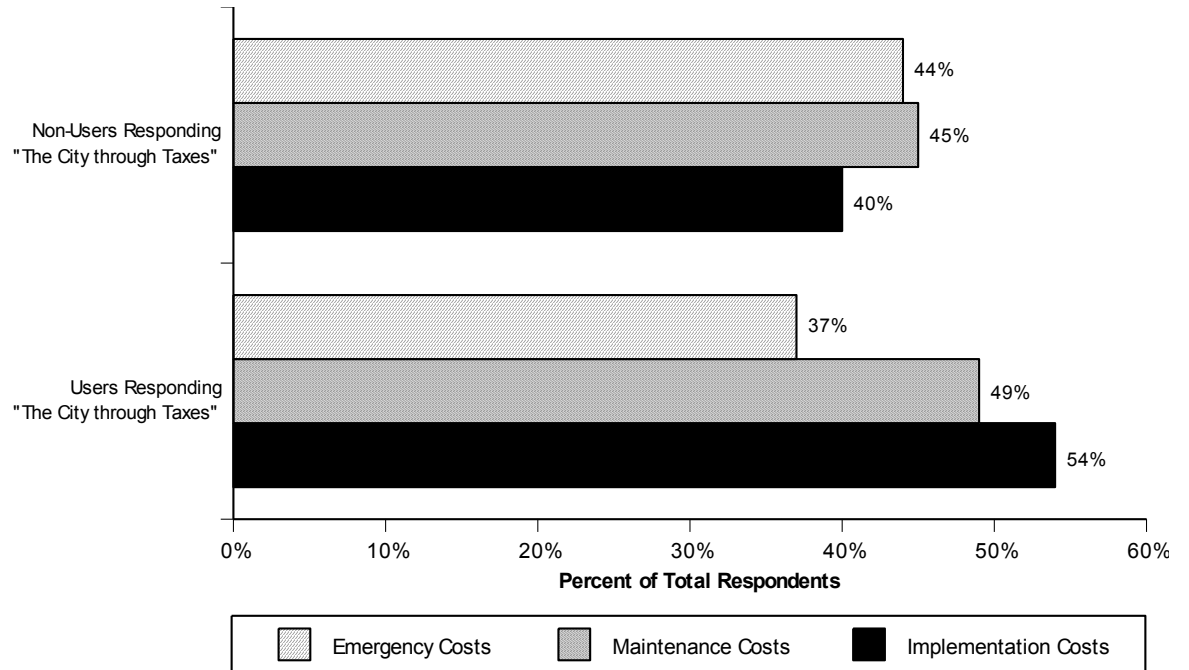
Note: Data include adults 18 and over only.
Source: Grand Junction Resident Telephone Survey, March 1999.

User versus non-user willingness to pay. Willingness to pay did vary somewhat based on whether respondents were currently using the canal roadways or not.

Generally, roadway users were more willing to pay for related expenses through taxes than were non-users.

As Exhibit II-9 shows, current users were more likely to ask the city to pay for trail implementation (54 versus 40 percent) and maintenance (49 versus 45 percent) costs than non-users, but less likely to ask the city to pay emergency costs (37 versus 44 percent).

Exhibit II-9.
Comparison of Willingness to Pay between Canal Roadway Users Versus Non-Users



Note: Data include adults 18 and over only.
Source: Grand Junction Resident Telephone Survey, March 1999.

Key Person Interviews

Individuals representing the impacted canal and irrigation companies, the City of Grand Junction, the Urban Trails Committee and the Colorado Riverfront Commission were interviewed for this study.

While quantitative estimates of the number of roadway users were not available, generally, the interviewees agreed that there is a significant and growing use of canal roadways throughout the City. Most use is in the form of walking, jogging, bicycling or motorized uses. As the population increases, particularly in formerly agricultural areas through which canals run, the utilization of the roadways for recreational and other purposes will likely continue to grow, according to interviewees.

The number of incidents between the public and canal workers or property owners is also reportedly growing, although data were not available from interviewees to quantify the number or type of incidents. Irrigation company representatives indicate that law enforcement is slow to respond to the calls of trespassing, and trespassing is not prosecuted by law enforcement. (Irrigation company comments on draft report, June 11, 1999.)

Feedback from key person interviews is provided in Section IV.

Other Community Experiences

Comparable communities and canal/irrigation companies throughout the state of Colorado were also interviewed to learn from their experiences. In general, communities have had mixed experiences with public use of canal roadways. In some cases canals are primarily located in rural areas and so receive very little public use; in others, roadways are heavily used either informally or as formal trails that are maintained by a public agency. Canal and irrigation company responses differed as well: in some cases the canal companies are strongly opposed to such public use due to liability, cost and other reasons; in other communities, the canal and irrigation companies have embraced the formal trail system that utilizes their road network.

Additional information on these comparable communities and canal companies is provided in Section V.

Summary

The resident survey and interviews conducted for this study demonstrate a significant and potentially growing demand for public use of canal roadways by City of Grand Junction residents.

Approximately 31 percent of adult Grand Junction residents (9,200 people) currently use the canal roadways. Twenty-eight percent of local non-users, representing an estimated 5,700 adult Grand Junction residents, would likely use the roadways if public use were allowed. This implies that as much 50 percent of the adult Grand Junction population, or 15,000 people, might utilize the canal roadways if such access were allowed.

Recreation-related use such as biking, walking, jogging and pet walking represents about 98 percent of the current use. Most users are 25 to 45 years old, with the second largest group of users coming from the 46 to 65 year age group. Most live within close proximity of the canals, and just under a third are frequent users (2 to 3 times per week).

Just over one-tenth of users, representing an estimated 1,000 adult Grand Junction residents, reported experiencing contacts with canal employees or property owners. Over a third of residents reporting contacts within the past year reported more than three contacts. Almost a third of contacts were with employees or property owners who were verbally abusive, but nearly half of contacts appeared to be more cordial where users were merely asked to leave. The remaining contacts were unrelated to trespassing conflicts.

The largest proportion of residents (42 to 46 percent) reported that the city should pay through taxes for implementation, maintenance and emergency costs related to public use of roadways. Current users of the roadways expressed a greater willingness to pay through taxes than did non-users.

**Property Owners
Users & Non-Users**

Owners of canal roadway property were sent a mail survey to obtain information about usage of their canal roads, their willingness to allow public use of the roadways and their thoughts on who should pay for any such access. The four canal and irrigation companies participating in this study provided the mailing list of property owners, and the City of Grand Junction mailed the survey to the property owners. Survey instruments, which were drafted by BBC and approved in advance by the canal companies and the City, were returned directly to BBC. Details on the survey methodology are included in Section I of this report, and the survey instrument is Appendix C.

Of the 517 surveys sent out, BBC received and analyzed 237 responses, representing a 47 percent response rate. Key findings from the property owners survey are provided below.

Property owner roadway users and type of use. A total of 65 percent of property owners reported that they use or have used the canal roadways for some purpose. Roughly 53 percent of all property owners surveyed reported that they use the canal roads for recreational, work, and/or school related activities. An additional 4 percent reported that they only used the roads to farm or to otherwise access their property. Another 8 percent of all the property owners surveyed reported that they had used the roadways but were non-specific about the nature of their use. Exhibit III-1 summarizes property owners' use of canal roadways.

- One in five property owners reported using the roadways for a single type of activity, primarily for recreational walking.
- Nearly half (46 percent) of property owners reported using roadways for more than one activity, including recreation-, work- and school-related use.

**Exhibit III-1.
Property Owner Use of Canal Roadways**

<u>Type of Use</u>	<u>Survey Response</u>
Single Use	
Recreational Walking	14%
Pet Walking	1%
Property Access Related Uses Only*	4%
Total Single Use Reported by Users	<u>19%</u>
Multiple Use	
Recreational-Related Uses* *	
2 Uses	14%
3 Uses	10%
4 Uses	6%
Unspecified Use	8%
Walk and Bike to Work	7%
Walk and Bike to School	1%
Total Multiple Use Reported by Users	<u>46%</u>
Total Property Owner Use	65%

* "Property access related only" uses include farming or to access property.

** Recreational-related uses include walking, biking, jogging or pet

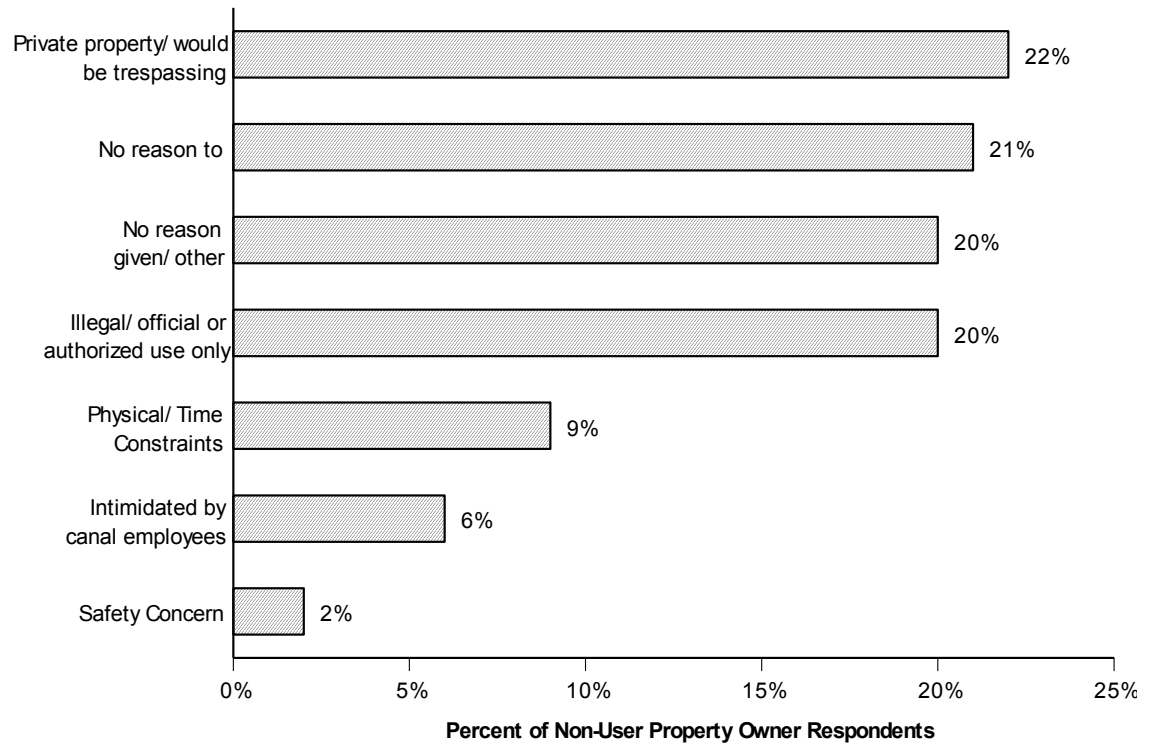
Source: Grand Junction Property Owner Mail Survey, March 1999.

Property owner non-users and reasons for non-use. Approximately 35 percent of property owners do not use the roadways for any type of use, even as a means to access their property. Exhibit III-2 categorizes the findings as a percentage of property owners who are non-users.

- 42 percent of property owners mentioned that they respected the private property of others and that it was trespassing and illegal to use the canal roads.
- 21 percent of property owners stated that they had no reason to use the roadways.
- 6 percent of property owners stated that they were intimidated by canal employees and stopped.

Exhibit III-2.

Property Owners' Reasons for Not Using Canal Roadways



Note: 35 percent of property owners do not utilize canal roadways for any purpose.
Source: Grand Junction Property Owner Mail Survey, March 1999.

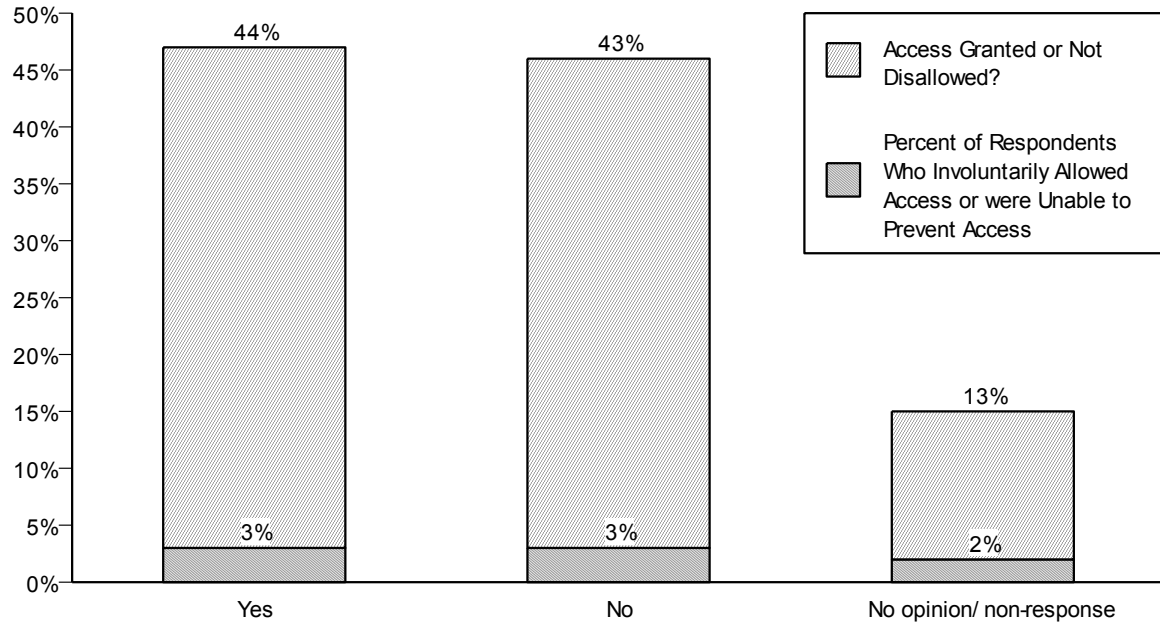
Willingness to Allow Public Use

Had public use been granted in the past. Property owners were asked whether they had allowed public use of the roadway on their property in the past. Responses were fairly evenly divided, with slightly more respondents claiming that they had allowed public access in the past.

- 44 percent of property owners stated that they had allowed public use, or at least not disallowed it, in the past.
- 43 percent of property owners stated that they had not allowed public use in the past.
- The remaining 13 percent of respondents had no opinion or did not respond to the question.
- 8 percent of all property owners surveyed replied that regardless of whether they specifically allowed or disallowed public access in the past, there was nothing they could do to enforce their wishes, as the public generally trespassed regardless of the property owners' wishes. Irrigation company representatives further report that law enforcement will not prosecute trespassers.

Exhibit III-3 summarizes these data.

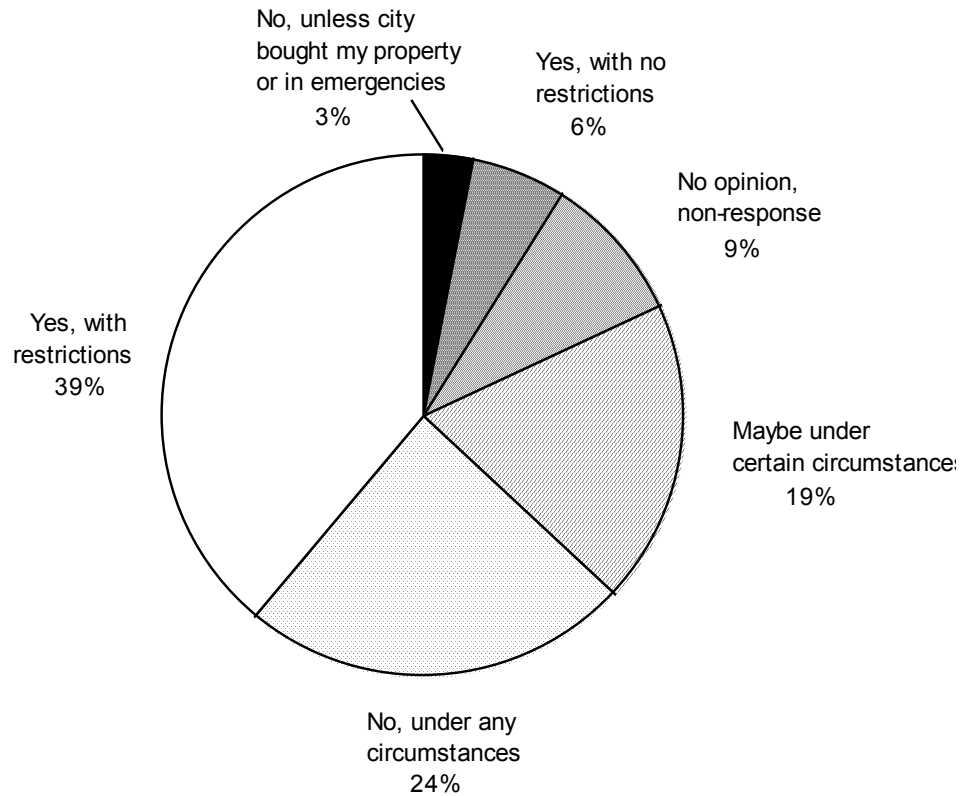
**Exhibit III-3.
Had Property Owners Granted or Not Disallowed Public Use in the Past**



Source: Grand Junction Property Owner Mail Survey, March 1999.

Would public access be granted or not disallowed in the future and under what conditions? Property owners were asked whether they would grant public access of the roadway on their property in the future and under what conditions, if any, they would grant that permission. Exhibit III-4 summarizes responses.

Exhibit III-4.
Would Property Owners Grant Public Access to Roadways in the Future



Source: Grand Junction Property Owner Mail Survey, March 1999.

Responses and Conditions of Property Owners Willing to Grant Future Public Access

Approximately 45 percent of property owners stated that they would allow public use in the future, with

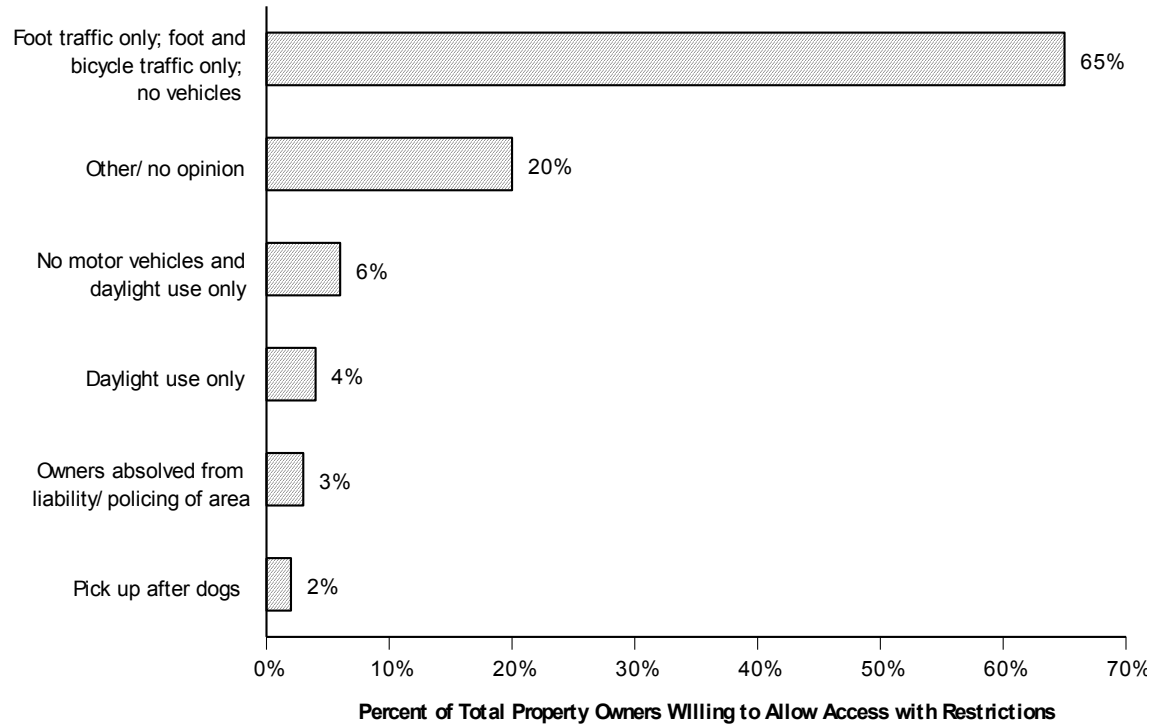
- 14 percent of those willing to allow future use (6 percent of total respondents) did not impose any limits on that use.

- 83 percent of those respondents willing to allow future use (39 percent of total respondents) stated that they would like limits imposed on use. Exhibit III-5 presents the complete list of limits that property owners mentioned they would like to impose.
 - ⇒ *The majority of restrictions mentioned, 65 percent, were on vehicular traffic use. Most respondents prefer only foot or foot and bicycle traffic.*

 - ⇒ *10 percent of property owners would restrict use to daylight hours only.*

- The remaining 3 percent of property owners who stated that they would allow public use reported that they would like restrictions placed on access, but did not specify a restriction.

**Exhibit III-5.
Restrictions as a Condition for Public Use among Property Owners
Willing to Allow Access with Restrictions**



Note: 39 percent of property owners were willing to allow access with restrictions.
Source: Grand Junction Property Owner Mail Survey, March 1999.

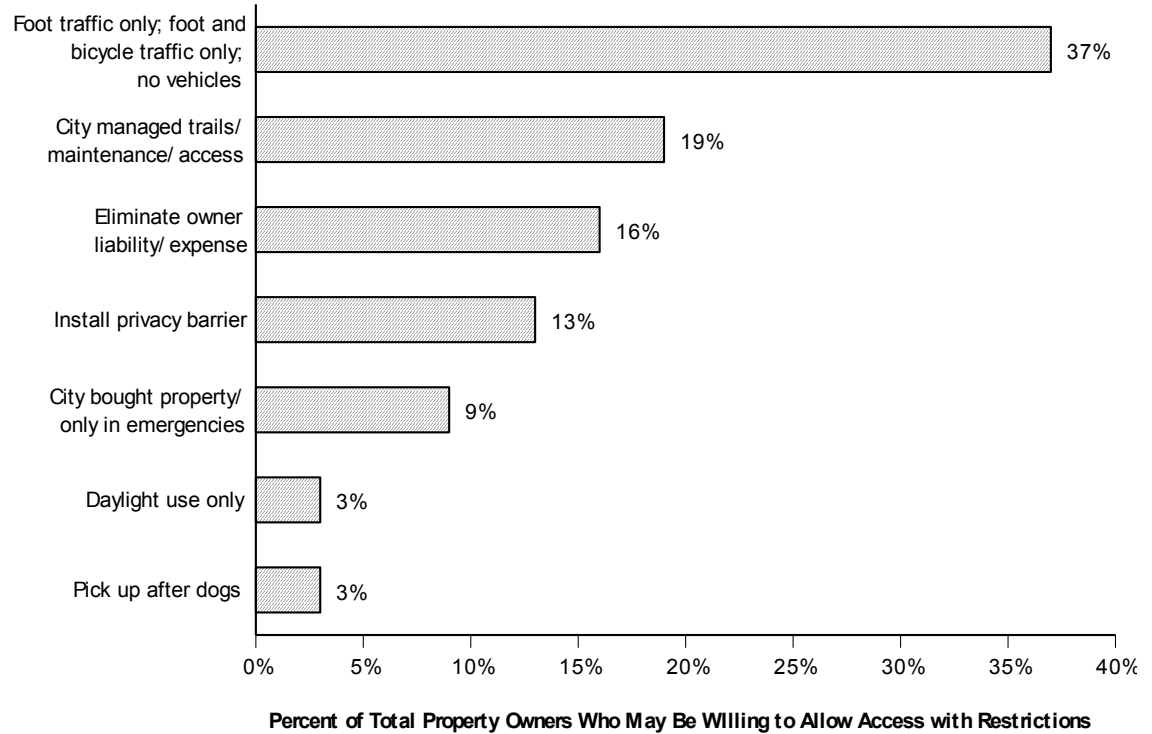
Responses and Conditions of Property Owners Unwilling to Grant Future Public Access

As Exhibit III-4 showed, nearly one quarter of respondents (24 percent) were unwilling to allow public access to their property under any conditions. An additional 3 percent of respondents would only allow access in times of emergencies or in the extreme case of the city buying portions of or their entire property.

However, 19 percent of total respondents stated that, although they were generally unwilling, they might be willing to grant access under certain circumstances. Those conditions are listed in Exhibit III-6.

- 37 percent of property owners who may allow access stated a restriction of no motorized vehicles.
- 19 percent might allow access if the city managed the trails, maintenance and access to the roadways.
- 16 percent might allow access if they were indemnified against any liability for accidents on their property or personal costs of public use.
- 13 percent of might allow access if a privacy barrier was installed along the roadway and their property.

**Exhibit III-6.
Restrictions as a Condition for Public Use among Property Owners
Who May Be Willing to Allow Access with Restrictions**



Note: 19 percent of property owners may be willing to allow access with restrictions.
Source: Grand Junction Property Owner Mail Survey, March 1999.

Incidents

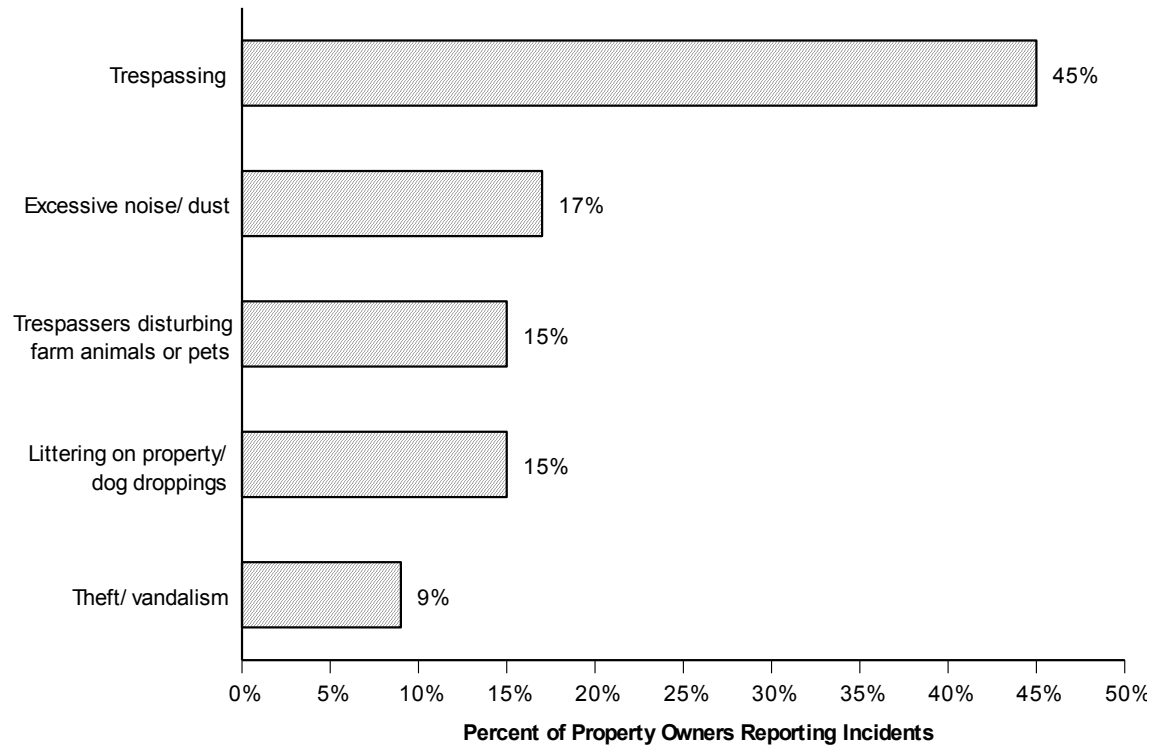
Reported incidents between property owners and the public regarding use of the canal roads. More than a quarter of all respondents, 27 percent, reported incidents regarding the use of the canal roadways on their property.

- 21 percent of all property owners surveyed reported three or more incidents with the public over the past year.
- 1 and 5 percent of property owners surveyed reported one and two incidents, respectively, over the past year.

Incidents are presented in Exhibit III-7. Categories are presented as a percentage of owners who reported incidents. Major findings are as follows:

- 45 percent of reported incidents with the public regarded trespassers or “snoops,” which were trespassers who went beyond the use of the road.
- 17 percent reported excessive noise or dust.
- 15 percent of incidents regarded individuals who disturbed the property owner’s farm animals or pets.
- 15 percent of incidents regarded littering.

Exhibit III-7.
Reported Incidents between Property Owners and the Public



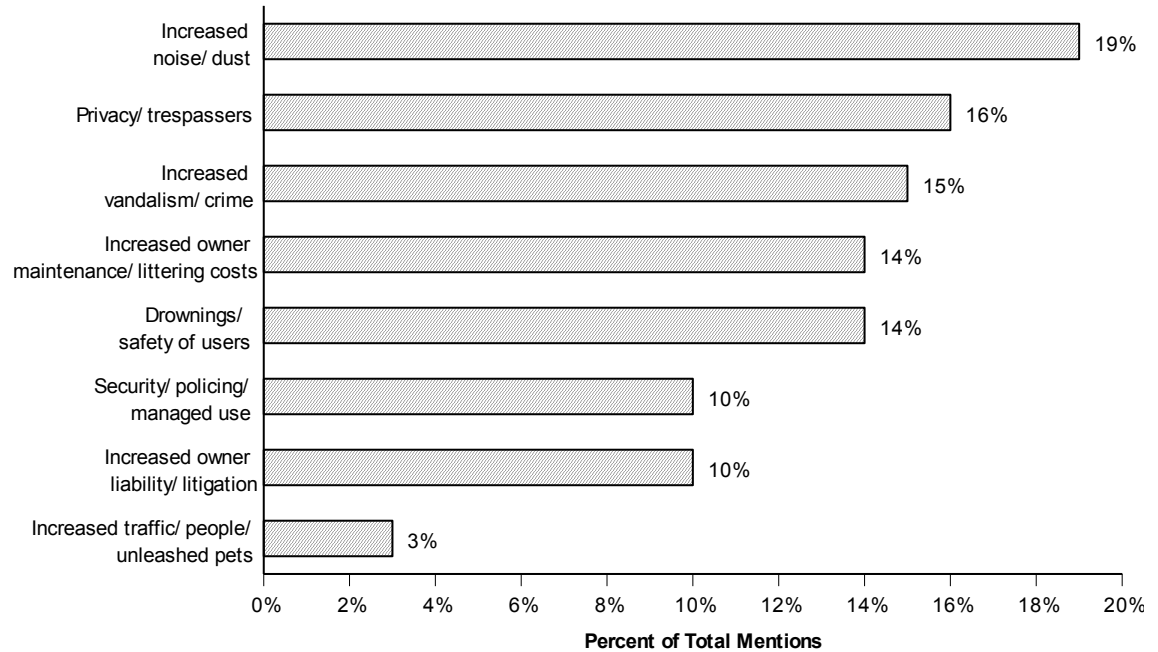
Note: 27 percent of property owners reported incidents.
Source: Grand Junction Property Owner Mail Survey, March 1999.

Concerns

Property owners' concerns regarding public use of canal roadways. Property owners were asked to list the primary three concerns they had regarding public use of canal roadways. Ranked by the highest to the lowest, major concerns included the following:

- Increased noise and dust.
- Their privacy or property might be violated by intruders who left the road.
- Vandalism or crime would increase as access was increased.
- Costs and property maintenance would increase.
- The canals and the area around the canals were unsafe, and adults or children could drown in them.

The distribution of property owner concerns are presented in Exhibit III-8. Each category is presented as the percentage of total reported concerns.

Exhibit III-8.**Property Owners' Top Concerns Regarding Public Use of Canal Roadways**

Source: Grand Junction Property Owner Mail Survey, March 1999.

**Willingness
to Pay**

Property owners were asked who should pay for different types of expenses if canal roadways were open to public use.

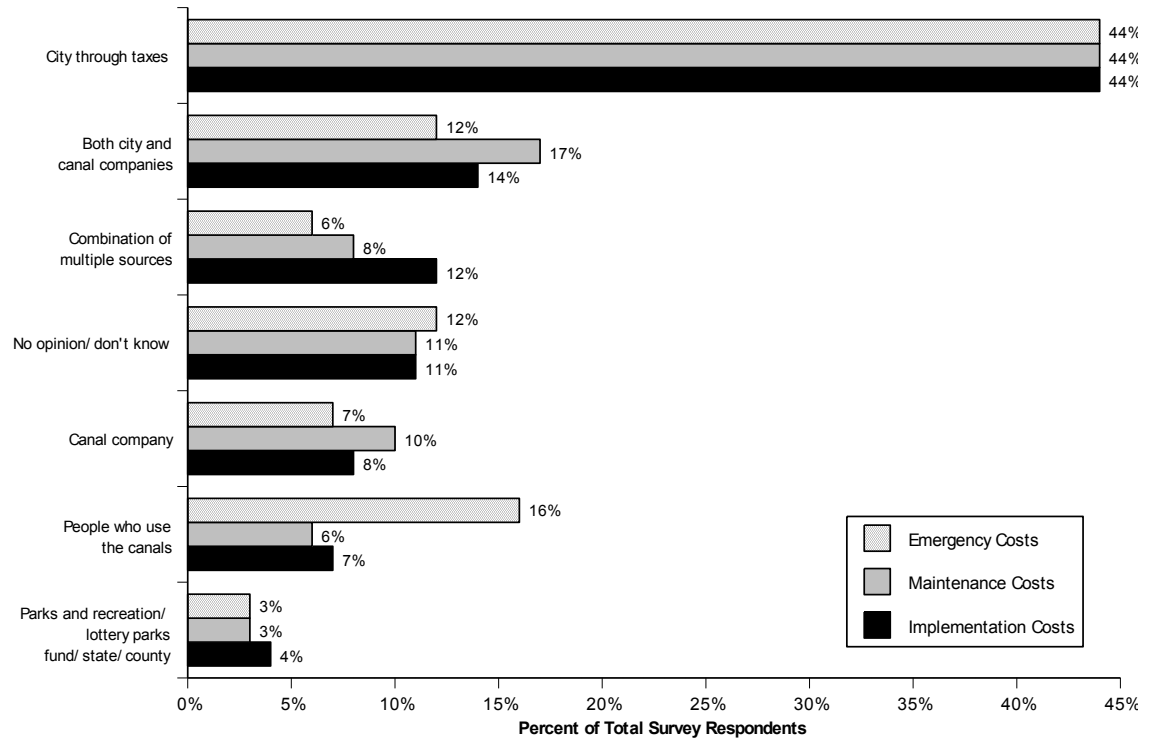
Roughly 44 percent of all property owners responding to the survey stated that the city should pay through taxes for implementation, maintenance and emergency costs for public use of the canal roadways.

Between 12 and 17 percent of all property owners stated that some combination of city and canal company responsibility was warranted.

Between 6 and 7 percent of all owners surveyed believed that individuals who used the canals should pay for implementation and maintenance costs through some form of user fees. However, more of the owners (16 percent) stated that users or their families should be responsible for any emergency costs incurred by the canal companies.

The summary of responses presented in Exhibit III-9 is expressed as a percentage of total survey respondents.

**Exhibit III-9.
Property Owners' Position on Payment for Public Use Costs**



Source: Grand Junction Property Owner Mail Survey, March 1999.

Summary

More than half of all property owners surveyed use the canal roadways for uses other than property related access. Approximately 44 percent of all property owners surveyed have allowed or not disallowed public use in the past. Eight percent of owners, including both those who had allowed public use in the past and those who had not, reported that regardless of whether they allowed access or not, they could not enforce their decision.

More than a quarter of all property owners reported incidents with the public on their property, such as trespassing or littering.

Approximately 6 percent of all property owners surveyed would allow future public use of the canal roadways with no restrictions. An additional 58 percent of all property owners surveyed would or might allow public access if restrictions and conditions were met. Among others these restrictions and conditions included:

- No motorized vehicle use,
- City managed trails and maintained the area,
- Indemnification of owner liability/policing of trails,
- Privacy barrier installed, and
- Use during daylight hours only.

Slightly more than one quarter of all property owners surveyed responded that they would not allow public use under any circumstances or only under extreme conditions such as emergencies or if the city were to buy their property.

A large proportion of property owners stated that, if public access were to be allowed on canal roadways, the City should pay for related expenses through taxes.

General Comments

Individuals were interviewed representing the City of Grand Junction, the Urban Trails Committee, the Colorado Riverfront Commission, the Grand Valley Irrigation Company, Grand Valley Water Users Association, Orchard Mesa Irrigation and Redlands Water and Power. A summary of their feedback is included in this section, along with sample quotes.

- Interviewees agreed that there is current and growing use of canal roadways by the public and that this use is currently illegal. While the number of contacts and conflicts between canal company representatives and recreational users of the roadways is not tracked, there was no real agreement as to whether negative conflicts are getting more severe or frequent.
- Generally, canal company representatives stated that there will continue to be increasing use of canal roads by the public. There was also general consensus that the City has not effectively communicated with the canal companies about this issue, nor has the City presented any realistic proposal that thoroughly addresses the canal companies' concerns. Canal company owners report that law enforcement cannot be relied on to enforce trespass law.
- Canal company representatives are generally opposed to public access of canal roadways. City, Urban Trails Committee and Riverfront Commission representatives are in favor of public use of roadways.

Reasons against public use of canal roadways. Reasons given by interviewees against public use included the following:

- ⇒ *Liability - "Who's liable for the accident claims - the ditch company or the property owner?"*
- ⇒ *Safety concerns - "People with headphones on can't hear our vehicles." "We've had people fall in." "Mowing machines throw rocks and could injure people."*

- ⇒ *Vandalism - "People have started fires down there."*
- ⇒ *Costs - "Our maintenance costs will skyrocket." "Our insurance costs would increase."*
- ⇒ *Private property issues - "We don't have the right to allow the public on those roads; it's up to the property owners."*
- ⇒ *Law enforcement concerns - "It's hard to get emergency vehicles or law enforcement people there quickly."*
- ⇒ *Priorities of land use - "I'm afraid that the real purpose of those roads would be seen as a secondary purpose, and the public would see our employees and equipment as intrusive and a nuisance."*
- ⇒ *Maintenance inconvenience - "It's inconvenient to have a bunch of people on the roads when we're trying to do our operations and maintenance on the canals." "It slows us down."*
- ⇒ *Not needed - "There are plenty of places for people to walk and recreate now." "The City has bike paths, I don't know why they want the canal roadways." "Why can't the City use its own property."*
- ⇒ *Threatens way of life - "Forcing property owners to let people access their land threatens their quality of life." "The problem is a canal company culture that feels their way of life is threatened." "Different sectors of the community are struggling with how to deal with change."*

Reasons in support of public use of canal roadways. Reasons given in support of public use included the following:

- ⇒ *Attractiveness - "It's a pretty place to walk." "It's a wonderful place for solitude and peace, and people love the outdoors."*
- ⇒ *Need for additional trails - "The City doesn't have any other way to provide that type of trail to residents." "This could be a community amenity and it makes no sense for a recreation trail to go unutilized."*
- ⇒ *Convenience - "Because it's an existing path that's already there, and can be a trail at no cost to the City." "The network already exists."*

Conditions of Public Use

- ⇒ *Incentives for canal companies - “The City could provide a financial incentive for the ditch companies to have maintenance expenses covered.”*
- ⇒ *Safety - “They’re good, safe bike and pedestrian ways through the City.” “With increased public use the canals are actually safer.” “These roadways would be safer than public streets.”*
- ⇒ *Decreased vandalism - “More people would discourage vandalism.”*
- ⇒ *Inevitability - “It’s inevitable that public use will be allowed.” “It’s a tremendous opportunity, and public use will increase whether an agreement is reached or not... it only makes sense to be proactive.”*
- ⇒ *Public relations - “This is a good opportunity for canal companies to have favorable public relations with the community.”*

The four affected Grand Junction canal and irrigation companies were asked if there were any conditions under which they might support public access of canal roadways. In most cases, company representatives stated that there were some conditions under which they would support public use. Several interviewees were opposed to public access of the canal roadways under any circumstances.

Conditions under which public use might be supported included the following:

- ⇒ *Complete indemnification for all loss; some strong liability waiver between trail operator and water providers; canal companies must be held harmless.*
- ⇒ *All additional maintenance costs would be borne by the trail entity.*
- ⇒ *Active, visible law enforcement along trails to prevent vandalism and ensure public safety.*
- ⇒ *Requirement that trail proponents actively maintain the primary right of canal companies to use the roadways.*
- ⇒ *Agreement that addresses how to manage canal in cases of emergency and who has obligation to make decisions (e.g., to drain canal and pay for losses.)*

Willingness to Pay

- ⇒ *Close trails and prevent public access during key maintenance periods; have law enforcement involved.*
- ⇒ *Fence some structures and provide gates and signs where appropriate.*

Interviewees were asked who should pay the costs of public use if such use were allowed.

- Interviewees agreed that the entity responsible for trail development (e.g., the City or recreation entity) should pay for trail implementation expenses.
- Interviewees agreed that the trail entity should also pay for maintenance costs that would be incurred over and above routine canal maintenance expenses.
- The party responsible for any emergency costs would vary depending on the nature of the situation.

Suggested Next Actions

Interviewees were also asked what steps the canal companies and the City should take with respect to this issue. Suggestions included the following:

- ⇒ *“The City should make a proposal that really addresses the issues of the ditch companies. The plan should address, short term and long term, all of our areas of concern.”*
- ⇒ *“There would need to be a formal agreement between the canal company and the trail entity to address law enforcement, extra expenses, closure of trails during maintenance, and the other issues.”*
- ⇒ *“The City needs to really address the issues and quit saying what a great idea public use is.”*
- ⇒ *“Where the landowners are willing, we should try to put trails on certain sections and then add additional segments at a time.”*

- ⇒ *“A significant pilot project should be undertaken to see how it works. Criteria should be set and outcomes monitored.”*
- ⇒ *“It’s important to know where the landowners stand in this.” “If underlying landowners aren’t willing to allow it, this is a moot point.”*
- ⇒ *“The County will eventually have to address the same issues, so this should encompass the County too.”*
- ⇒ *“Legislation should be passed in the State to limit the liability of the canal company and the landowner for anything that happens on the canal corridor, not just on the trail.”*
- ⇒ *“The trail agency would have to post a bond to cover expenses.”*
- ⇒ *“The City should take over maintenance of the canals and contract with the canal companies to do the maintenance.”*
- ⇒ *“The City should go out and find some other place for their trails.” “Keeping people off is the most inexpensive, cost effective solution for the irrigation companies.”*

Summary

Individuals interviewed for this study agreed that there is current and growing public use of canal roadways in the City of Grand Junction, although such use is prohibited.

While canal company representatives are generally opposed to public use of the roadways, a number of conditions were mentioned under which they might support public use of the roads. Representatives from the city, Urban Trails Committee and Riverfront Commission supported the public use of canal roadways.

All parties agreed that the sponsoring trail agency should pay for implementation and maintenance costs if public use were to be allowed.

As mentioned previously, part of the work scope for this study was to contact communities in the state of Colorado that were generally comparable to Grand Junction in terms of the presence of canals, and to find out these communities’ general experiences regarding the public use of canal roadways. In addition, we also contacted a number of canal companies throughout the state to learn about their experiences. A

summary of the feedback gained from these comparables is included in this section. A list of individuals interviewed is contained in Appendix A.

We also completed a secondary research effort in which we attempted to identify any existing surveys or studies that address this issue. Results of this research effort are summarized in this section as well.

Within Colorado, information was obtained from nineteen communities that have canal systems in or around their area. Feedback from these towns about the public use of canal roadways was mixed. In some cases, communities have formal trail systems in place along canal banks and have successfully resolved major issues surrounding liability and cost. Other communities either do not support or have not addressed the public use of canal roadways. Several are in the early stages of considering public use.

- The City of Alamosa has an informal arrangement with the ditch companies that own Jackson's ditch and other smaller ditches in the City. The City maintains the ditch in exchange for being able to use the ditches to release storm water. The informal arrangement also allows the public to use the ditch roads for walking and bicycling. Because the arrangement is informally made with individual ditch companies, liability has not been discussed. Property owners along the ditch are the primary users of the roads. The City recently bought a ranch for water rights and is in the process of creating a trail network. Alamosa has not studied creating a formal trail network from ditch roads, and they have not surveyed the community.
- In Bayfield, the public is resistant to using ditch roads for trails. Several years ago a child drowned in one of the Town's eight main irrigation ditches; the town has not forgotten this. Bayfield included the ditch roads in their formal trail plan, but received no support from the public, landowners, or ditch companies during public meetings. The primary concern of all parties is safety of children in the town.

- Boulder County has not formally surveyed the community, property owners, or ditch companies to assess their interest in expanding the ditch/canal trail systems throughout the County.
- The City of Broomfield has created a trail system along a ditch, according to Boulder County. In their arrangement with the ditch company, the City is required to maintain the ditch along the trail, and to pay the ditch company a fee to use the ditch road. In this arrangement, the City assumed limited liability.
- In Cortez, the public uses the canal walkway without permission. The canal is approximately 1.5 miles in length. The canal road is eight to ten feet higher than the adjacent property, which makes landowners concerned about their privacy and security. In addition, landowners view the road as 'ditch-use-only' while members of the public view the road as a traditional 'right-of-way.' The City did not complete a proposed study of making the canal road a trail.
- The City of Craig has the rights to 2.5 miles of the (now-empty) Craig irrigation ditch. The City is in the process of converting that road into a trail. Because the ditch is empty, liability has not been a concern. The City is obtaining easements around power lines, and they will accept the liability for that. This project is funded by a \$160,000 grant from ISTEPA, and construction will begin in Spring/Fall 2001. Property owners along the other length of the ditch are not currently interested in converting the area to a trail because of privacy concerns.
- The Town of Crawford has a ditch running through town. The public does not use the ditch road, and has not expressed an interest in doing so.
- In Delta there is a canal roadway that is used informally by the public. The City is talking with canal companies about using it as a trail.

- The High Line Canal in Denver is owned by the Denver Water Department, but in 1970 the Department granted a 19-mile portion of the trail to be managed and leased by the South Suburban Park and Recreation District. The Trail is used for non-motorized recreational activities. A management plan between the Department and District was implemented in which the District indemnifies and holds the Water Department harmless against all claims and damages. A December 1998 report discusses the benefits of the canal to the community, local property owners, and local agencies. The authors believe that the benefits of keeping the canal in use outweigh the costs to the Denver Water Department (from water loss to vegetation).
- In Durango, the canals are about ten miles outside the City limits. Durango residents are not currently using the canal roads. The use of the canal roads is in the Durango 15 year Master Plan, but they have not completed any studies. Agricultural landowners along the canal are reportedly opposed to public use because public use gives too much access to their land and because of potential liability from accidents.
- In Fort Collins, there are some formal trails for public use along canal banks. The City's Ditch Task Force sent a resident survey to property owners along the canals, and found that the use of ditches as "greenbelts/trails" ranked very high as an important ditch function, second only to "irrigation water conveyance." Also, the desire for trails/walks along ditch corridors was the most frequently requested improvement on the survey.
- Greeley has a series of canals through town and a formal trail system on part of the canal banks. The relationship has generally been positive between the City and the canal companies. The City has a formal agreement in place with at least one irrigation company in which the City agrees to maintain that portion of the ditch bank and right of way and also holds harmless and indemnifies the irrigation company from any liability.
- The Town of Hayden has two small irrigation ditches running through the town. The roadways are not currently in use as trails, but the town is planning

to create a trail system. Since the planning is in its infancy, the town has not yet held formal discussions with the ditch companies or the community.

- In La Junta, the canal is outside the City on the south edge of town. The public uses the road for recreation, but without the permission of the canal company or property owners. There has been no conflict between users and landowners that the City is aware of.
- In the City of Longmont, a child died while tubing in an irrigation ditch. The child's family is in litigation with the ditch company. According to Boulder County, this lawsuit has made ditch companies in the area resistant to allowing public access to the roadways because of liability issues and because the companies are concerned that increased access to the roadways will increase litter in the ditch which can cause flooding when gates are clogged.
- Loveland has several miles of formal trails but the public uses all of the ditch roads. For the formal trails, littering and vandalism has been low and there has reportedly not been any increase in crime. Liability arrangements vary based on agreements with the various ditch companies. Property owners are "used to the trails."
- The City of Niwot created a trail system along the ditch that runs through the city. Landowners along the ditch reportedly were concerned that opening the ditch to the public would invite undesirable elements into their backyards. According to Boulder County, the trail system was built despite the landowners' concerns. Two years after completion of the trail system, the property values of land along the trail reportedly have increased. A Boulder County staffer reports that developers are charging premiums for property along the trail (\$5,000), and landowners are installing gates from their backyards onto the trail.
- The Town of Parachute has one irrigation ditch running through town. This ditch has existed since the early 1900s and has always been considered a

Canal/Irrigation Companies

right of way. The public has open access to the ditch, ditch crossings, and the field along the ditch. Liability, privacy, and security of property owners is not an issue. Property owners would like to see the water diverted because it creates a mosquito problem and the ditch only supports one hayfield outside of town.

- Pueblo has a public road that runs through town along a ditch, so residents use that; otherwise there are no current formal trail systems along canal roadways.

Representatives from twenty Colorado canal and irrigation companies were interviewed. The companies represent a sample of irrigation entities throughout the state that convey 50 c.f.s. or more from their points of origin. Because there is not a centralized list of canal and irrigation companies in the state, BBC compiled a list of appropriate organizations from a variety of sources, including the Colorado Division of Water Resources, Office of the State Engineer; Division Engineers at the seven individual Division offices; Water Commissioners at certain Districts; the Colorado Water Resources Research Institute; the Colorado Water Congress' Almanac and Directory; and the PhoneDisc infoUSA Inc. database of Colorado businesses.

Our discussions with canal and irrigation companies demonstrated mixed experiences regarding public use of roadways. However, in most rural areas, this issue has not been of serious concern. A brief summary of interviewees' comments follows:

- Bessemer Ditch Company fences most of their canal through the City of Pueblo and the remainder are fairly rural. Public use of the canal banks has not been a problem.
- Cache La Poudre Irrigation in Ft. Collins primarily runs through rural areas and has not experienced any public use issues.
- The CC Ditch Company runs through the town of Nucla, which is a farming community. The CC Ditch Company reported that property owners were the

primary users of the canal roadways and they walk or jog along them. It has “always been the case” that if one property owner crosses onto the property of another, it is just “neighborly” that they let them.

- The Commonwealth Irrigation Company of Alamosa reports that no canal company goes directly through the town of Alamosa anymore. Their problem is mainly with subdivisions and “ranchettes,” whose owners fence off access to Commonwealth’s canals.
- The Dolores Water Conservancy District of Cortez stated that none of their canals go through town and they have not experienced any public use issues.
- Farmer’s Water Development of Norwood reported that they have not seen anybody on the canal roads and that their main problem is with property owners who fence very close to the canal banks.
- The Fort Lyon Canal Company of La Junta has a system of canals several miles out of town where the only people who travel along the canals are farmers. They have not encountered any public use issues and feel that people are unwilling to travel out of town just to walk on along the canals.
- Groundwater Appropriators of the South Platte River Basin (GASP) in Fort Morgan reported significant conflicts with the City, and the company believes it needs to be more diligent regarding its access and other rights to the canal roadways.
- Greeley Loveland Irrigation, despite serious initial skepticism, reported very positive results with the formal trail system along their canals in Greeley. Now ten years old, the trail system has been expanded and continues to expand. The City pays for maintenance and assumes all liability via a formal agreement. The company reports no problems with accessing the canals and doing their jobs.

- The Highline Canal of Rocky Ford reports that individuals fish and drive along the canals all the time, but their canal system is several miles west of town in an agricultural area. No one has been reported to have fallen in nor have there been any incidences of vandalism. The Highline Canal reports that individuals' use of the canals is "no big deal," and the company has done nothing to dissuade use from occurring.
- Larimer-Weld Irrigation in Ft. Collins expressed an interest in using their canal banks as formal trails because it would alleviate some of their existing liability, but discussions have not progressed.
- The Manassa Land & Irrigation Company operating out of Manassa reports that the area they operate in is still very rural and their canals are at least one half mile from town. Their only problems are with property owners who fence across the canals and block Company access to the ditches.
- The Missouri Heights Irrigation Company of Carbondale has seen people walking along the canal roadways, but they do not really have a problem with that. Their problems stem from property owners who block access to the canals.
- The Montezuma Valley Irrigation Company operating in Cortez stated that there was some city-level discussion about converting some of the canal roads into bike trails. The issue remains undecided, but regardless of the outcome, the Montezuma Valley Irrigation Company does not feel that they have a say in the matter because they have an easement but do not own the property.
- The Morrison Consolidated Ditch Company has an office in Ignacio but does not go through any towns. The area is still very agricultural and they report no public use issues.

- The Northern Conservancy District has their main office in Loveland but their canals go through several large cities in Boulder and Larimer Counties. The Northern Conservancy District has had some discussions with the counties of Boulder and Larimer to see if Northern's canal roads could be integrated into the county trail systems, but Northern stated that their impression was that Boulder and Larimer Counties were unwilling to take 100 percent responsibility for liability issues. Northern also expressed concern that they probably would not be 100 percent safe from litigation anyway, regardless of whether the two counties accepted all responsibility. The discussions have since waned with no results.
- The Rocky Ford Ditch Company operating in Rocky Ford stated that they had a ditch running straight through town but there were no roads by it. They were unaware of any roadway use outside of town.
- In Golden, Rocky Mountain Ditch Company reported little public use of canals, although the property owners and canal company does not want the public on the roadways due to safety and liability issues. Rocky Mountain Ditch Company primarily experiences problems with property owners who fence off access.
- The San Luis Valley Irrigation Company operating in Center stated that there was foot and bicycle traffic on some sections of their roadways. Although they have had some issues with liability, public use of the roadways did not interfere with their work and did not bother them. The San Luis Valley Irrigation Company does not currently deter foot or bicycle usage along their canal roadways.
- In Montrose, the Uncompaghre Valley Water Users Association views the canal banks as private property and does not get involved in public use of the roadways.

Secondary Research Findings

Several studies have been conducted within the State of Colorado related to the public use of canal roadways. A summary is presented below:

- A December 1998, study entitled, “The High Line Canal: Start Thinking About It, Or Lose It” was issued by the High Line Canal Preservation Association along with various other agencies, organizations and individuals. The study provides a history of the High Line Canal Trail in Denver and explains that portions of the Trail are at risk due to the Denver Water Department’s discontinuing the water supply along portions of the Trail. The report states that certain key issues need to be addressed in order to “save” the canal, including ownership, water, recreation, vegetation, and historical/cultural issues. Specifically, the report recommends that the High Line Canal Preservation Association and the Denver Water Department form a working group and develop an action plan.

- In September 1996, the Grand Junction Urban Trails Committee released the “Feasibility Study: Recreation Use of a Portion of the Grand Valley Government Highline Canal.” The study focused on a two-mile section of canal to evaluate the feasibility of establishing recreation trails along irrigation canals, and was funded by the Bureau of Reclamation, the City of Grand Junction and Mesa County.

The pilot study was guided by representatives of the Urban Trails Committee, the City of Grand Junction, Mesa County, Bureau of Reclamation, and the Grand Valley Water Users Association (GVWUA). The steps in the study included meeting with the Board of Directors of the GVWUA, travel to other cities or consultation with representatives of other cities where canal banks are used for recreation purposes, identification of land ownership along the pilot section of the canal, open houses and meetings with property owners along the pilot stretch of canal, legal consultation, and hiring a consultant to provide engineering and recreation information. Public comments were accepted regarding the draft feasibility study.

A list of issues and concerns was identified by GVWUA, landowners, citizens, and the Grand Valley Irrigation Company. The report addressed potential means to resolve the issues and concerns identified in the study, as well as described how and where a trail might be constructed.

On the basis of the feasibility study, the Urban Trails Committee

recommended that a recreation trail be located along a portion of the Government Highline Canal.

- A study was completed in November 1994 to determine the impact of urban trails in the Denver area on property values and to evaluate the effect of trails on the public safety of adjacent and nearby residents. A joint study by The Conservation Fund and Colorado State Parks, State Trails Program, the report title was “The Effect of Greenways on Property Values and Public Safety.” The analysis was conducted using data from seven separate surveys of residents adjacent to and near trails, real estate agents, police officers and newspaper real estate advertisements, regarding three different Denver trails (including the High Line Canal Trail).

Regarding property values, both real estate agents and residents felt that trails were an amenity for neighboring homes. Seventy-five percent of real estate agents stated that a home adjacent to a trail would be easier to sell; 55 percent said that the home would sell for more than a comparable home. About 29 percent of residents felt that their home’s location would increase the selling price, and 57 percent said it would be easier to sell.

The study revealed that “no public safety issues could be directly linked to the trail” and that the most serious issue had been graffiti. The report also stated that, “patrol officers did not have concerns for public safety along the trails when the trails were used during regular daylight hours.”

The report concluded, “In summary, concerns that urban trails might adversely affect public safety and property value in surrounding neighborhoods are not substantiated by the results of this study. The effect of a trail on the neighboring property is beneficial, rather than detrimental. The general opinion is that trails are an amenity to the neighborhoods around them; they increase the desirability of property and provide a space for young children and adults of all ages to run and play.”

- In February 1989, a High Line Canal Trail Study (Denver) was released which included an analysis of the current conditions of the Trail and

Summary

recommendations with respect to possible improvements such as to the trail surface, parking, signage, and the management plan. The study also recommended that a user survey be implemented on the Trail to identify quantities of users at certain times and locations along the trail, and to identify types of use. Participants in the study included the Denver Water Department, South Suburban Park & Recreation District, Colorado Division of Parks & Outdoor Recreation, and three municipalities.

- Additionally, several communities' master plans or Parks/Recreation Departments reference the desire to expand trail systems, and a few have completed resident surveys regarding recreational preferences.

Individuals representing nineteen Colorado communities that have irrigation systems in or around their areas were interviewed, to obtain information about their experiences related to public use of canal roadways. In addition, twenty canal and irrigation companies were interviewed to gain additional feedback. Secondary research conducted to identify any studies completed within the State of Colorado related to the public use of canal roadways revealed that several such studies have been completed.

- Feedback from the Colorado communities about the public use of canal roadways was mixed. In some cases, communities have formal trail systems in place along canal banks and have successfully resolved major issues surrounding liability and cost. Other communities either do not support or have not addressed the public use of canal roadways. Several are in the early stages of considering public use. While a few have conducted some research related to this issue, none have completed studies or surveys of the nature and extent that Grand Junction has.
- Colorado canal and irrigation companies also reported mixed feedback regarding public use of the canal roadways. In rural areas, companies tended to report more conflicts with property owners than with recreational users of the roadways. In several cases, canal companies are actively trying to discourage public use due to liability, cost and safety issues; in other cases, companies embrace the idea of formal trail systems along the roadways.

- Several studies have been conducted related to the use of canal roadways as trails within the state of Colorado. One was conducted specifically relating to a pilot trail in the City of Grand Junction; the remainder were conducted in the Denver area. Each study had unique goals and dealt with specific issues, and were not as broad in scope as this study.

This section presents a summary of findings from the Grand Junction Canal Roadways Use Study.

Public Demand

The resident survey and interviews conducted for this study demonstrate a significant and potentially growing demand for public use of canal roadways by City of Grand Junction residents.

Approximately 31 percent of adult Grand Junction residents (9,200 people) currently use the canal roadways. Currently, most public use is illegal. Twenty-eight percent of local non-users, representing an estimated 5,700 adult Grand Junction residents, would likely use the roadways if public use were allowed. This implies that as much 50 percent of the adult Grand Junction population, or 15,000 people, might utilize the canal roadways if such access were allowed.

Recreation-related use such as biking, walking, jogging and pet walking represents about 98 percent of the current use. Most users are 25 to 45 years old, with the second largest group of users coming from the 46 to 65 year age group. Most live within close proximity of the canals, and just under a third are frequent users (2 to 3 times per week).

Just over one-tenth of users, representing an estimated 1,000 adult Grand Junction residents, reported experiencing contacts with canal employees or property owners. Over a third of residents reporting contacts within the past year reported more than three contacts. Almost a third of contacts were with employees or property owners who were verbally abusive, but nearly half of contacts appeared to be more cordial where users were merely asked to leave. The remaining contacts were unrelated to trespassing conflicts.

Property Owner Responses

The largest proportion of residents (42 to 46 percent) reported that the city should pay through taxes for implementation, maintenance and emergency costs related to public use of roadways. Current users of the roadways expressed a greater willingness to pay through taxes than did non-users.

More than half of all property owners surveyed use the canal roadways for uses other than property-related access. Approximately 44 percent of all property owners surveyed have allowed or not disallowed public use in the past. Eight percent (including those who had allowed use in the past and those who had not) reported that regardless of whether they allowed access or not, they could not enforce their decision.

More than a quarter of all property owners reported incidents with the public on their property such as trespassing or littering.

Approximately 6 percent of all property owners surveyed would allow future public use of the canal roadways with no restrictions. An additional 58 percent of all property owners surveyed would or might allow public access if restrictions and conditions were met. Among others these restrictions and conditions included:

- No motorized vehicle use,
- City managed trails and maintained the area,
- Indemnification of owner liability/policing of trails,
- Privacy barrier installed, and
- Use during daylight hours only.

Slightly more than one-quarter of all property owners surveyed responded that they would not allow public use under any circumstances or only under extreme conditions such as emergencies or if the city were to buy their property.

Key Person Interviews

A large proportion of property owners stated that if public access were to be allowed on canal roadways, the City should pay for related expenses through taxes.

Individuals interviewed for this study agreed that there is current and growing public use of canal roadways in the City of Grand Junction although such use is illegal.

While canal company representatives are generally opposed to public use of the roadways, a number of conditions were mentioned under which they might support public use of the roads. Representatives from the city, Urban Trails Committee and Colorado Riverfront Commission supported the public use of canal roadways.

All parties agreed that the sponsoring trail agency should pay for implementation and maintenance costs if public use were to be allowed.

Comparables Analysis

Individuals representing 19 Colorado communities that have irrigation systems in or around their areas were interviewed, to obtain information about their experiences related to public use of canal roadways. In addition, 20 canal and irrigation companies were interviewed to gain additional feedback. Secondary research conducted to identify any studies completed within the State of Colorado related to the public use of canal roadways revealed that several such studies have been completed.

- Feedback from the Colorado communities about the public use of canal roadways was mixed. In some cases, communities have formal trail systems in place along canal banks and have successfully resolved major issues surrounding liability and cost. Other communities either do not support or have not addressed the public use of canal roadways. Several are in the early stages of considering public use. While a few have conducted some research related to this issue, none have completed studies or surveys of the nature and extent that Grand Junction has.
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- Several studies have been conducted related to the use of canal roadways as trails within the State of Colorado. One was conducted specifically relating to a pilot trail in the City of Grand Junction; the remainder were conducted in the Denver area. Each study had unique goals and dealt with specific issues and were not as broad in scope as this study.

Interviewee List

The following persons were interviewed for this study.

Grand Junction Contacts

Mark Achen	City of Grand Junction
Janet Terry	City of Grand Junction
Reford Theobald	City of Grand Junction
Lynn Christensen	Grand Valley Irrigation Co.
James Grisier	Grand Valley Irrigation Co.
Richard Leech	Grand Valley Irrigation Co.
Robert Raymond	Grand Valley Irrigation Co.
Dan Cronk	Grand Valley Water Users Association
Dick Proctor	Grand Valley Water Users Association
Norman Friend	Orchard Mesa Irrigation District
Jim Rooks	Orchard Mesa Irrigation District
Bob Sowell	Orchard Mesa Irrigation District
Pete Frigetto	Redlands Water & Power
Bob McCormick	Redlands Water & Power

Gregg Strong	Redlands Water & Power
Russell Withers, Jr.	Redlands Water & Power
Pat Kennedy	Riverfront Commission
Robert Cron	Urban Trails Committee
Jamie Lummis	Urban Trails Committee

Colorado Communities

Don Koskellin	Public Works	Alamosa, CO
Denise Naegle	Engineering Department	Bayfield, CO
Rich Coopman	Boulder County Trails	Boulder County, CO
Bruce Marks	Public Works	Cortez, CO
Dave Pika	Community Development	Craig, CO
Margaret Pearce	Crawford Town Hall	Crawford, CO
Naomi Gray	Planning Department	Delta, CO
Kathy Metz	Parks & Recreation	Durango, CO
Rodney Albers	Stormwater Utility	Ft. Collins, CO
Karen Scopel	Natural Resources Planning	Greeley, CO
Dawn Marsh	Engineering Department	La Junta, CO
Randy Burkhardt	Planning Department	Loveland, CO
Larry Callihan	Department of Parks & Recreation	Loveland, CO
Mark King	Public Works	Parachute, CO
Jim Munch	Planning & Development Department	Pueblo, CO

Colorado Canal Companies

Bill Mullan	Bessemer Ditch Company	Pueblo, CO
Dale Trowbridge	Cache La Poudre Irrigation	Ft. Collins, CO
Doug Garner	CC Ditch Company	Nucla, CO
Terry Hof	Commonwealth Irrigation Company	Alamosa, CO
Lisa Jordan	Dolores Water Conservancy District	Cortez, CO
Lee Beard	Farmer's Water Development	Norwood, CO
Barbara Schwin	Fort Lyon Canal Company	La Junta, CO
Jack Odor	GASP	Fort Morgan, CO
Ron Brinkman	Greeley Loveland Irrigation	Loveland, CO
Craig Rollins	Highline Canal	Rocky Ford, CO
Bill Johnston	Larimer-Weld Irrigation	Ft. Collins, CO
Leland Holman	Manassa Land and Irrigation Company	Manassa, CO
Richard Hunt	Missouri Heights Irrigation Company	Carbondale, CO
Less Nunn	Montezuma Valley Irrigation	Cortez, CO
Gale Klusman	Morrison Consolidated Ditch Company	Ignacio, CO
Don Carlson	Northern Conservancy District	Loveland, CO
Ron Asherman	Rocky Ford Ditch Company	Rocky Ford, CO
Ken Vaught	Rocky Mountain Ditch Company	Golden, CO
Travis Smith	San Luis Valley Irrigation Company	Center, CO
Jan Crane	Uncompaghre Valley Water Users	Montrose, CO

Property Owners Mail Survey

The City of Grand Junction, in conjunction with four local irrigation/canal companies, is conducting research related to existing and prospective public use of canal roadways as trails through the City. As a property owner along a canal, your input is important to this effort. We would appreciate your taking a few moments to complete this survey and return it in the enclosed envelope, by April 9, 1999. Thank you.

Current Use of

Canal Roadways

- 1. Do you and/or members of your household use the roadways along the canals?
 - Yes No [If NO, go to 1b.]

- 1a. If YES, what do you use them for? [Mark all that apply.]
 - Recreational walking
 - Pet walking
 - Jogging
 - Recreational biking
 - Access to your property (ingress/egress)
 - Farm equipment use
 - A system to go to work If so: by foot by bike
 - If so, how far? _____ Miles
 -
 - A system to go to school If so: by foot by bike
 - If so, how far? _____ Miles
 -
 - Other use (list): _____

- 1b. If NO, why not? _____

- 2. Have you experienced any conflicts with members of the general public using the canal roadways through your property within the past year?

- Yes No [If NO, go to 3.]

- 2a. If YES, how many times have you experienced a conflict in the past year?

- Once Twice Three or more times

- 2b. Please briefly describe the incident(s).

General Roadway Use Issues

- 3. Have you allowed public use of the roadway along the canal on your property?

- Yes No

- 3a. Are you willing to allow public use of the roadway along the canal through your property?
 - Yes No [If NO go to 3c.]

- 3b. If YES, are there limitations in the type or extent of use that you would allow, such as purpose of use, time of use, use of vehicles, etc.
 - Yes No If Yes, list: _____

- 3c. If NO, why are you unwilling to allow public use of the roadways along the canal on your property?

- 4. Under what circumstances or conditions would you be willing to allow public use of the canal roadways on your property? What, if anything, could be done in order for you to allow public use?

- 5. Whether or not you would allow public use, please list your top three concerns related to allowing public use of the canal roadways:
 - 1. _____
 - 2. _____
 - 3. _____

- 6. If canal roadways were open to public use, who should pay for implementation or installation expenses, such as gates to control unauthorized motor vehicle access, signs, fencing of major irrigation structures, liability insurance, cost of policing and any extra expense of irrigation/canal companies if their work is impeded?
 - City of Grand Junction through tax dollars
 - Irrigation/canal companies
 - Adjoining landowners
 - Other (list): _____

-
- 7. If canal roadways were open to public use, who should pay for maintenance expenses, such as surface grading, weed control, trash pickup and repair of any damage caused by the public?
 - City of Grand Junction through tax dollars
 - Irrigation/canal companies
 - Adjoining landowners
 - Other (list): _____
-
- 8. If canal roadways were open to public use, who should pay for any emergency costs incurred by the canal companies, such as draining canals to recover drowning victims?
 - City of Grand Junction through tax dollars
 - Irrigation/canal companies
 - Adjoining landowners
 - Other (list): _____
-
- Please return this completed survey to BBC Research & Consulting, 3773 Cherry Creek North Drive, Suite 701, Denver, CO 80209, in the enclosed self-addressed postage-paid envelope, or fax it to BBC at (303) 399-0448.

- Thank you for your help on this important research!

**REDLANDS WATER AND POWER COMPANY
2518 MONUMENT ROAD, SUITE C
GRAND JUNCTION, COLORADO 81503
(970) 243-2173**

POLICY NO. 8

USE OF REDLANDS WATER & POWER COMPANY CANAL RIGHTS-OF-WAY FOR RECREATIONAL AND TRAIL PURPOSES

Redlands Water and Power Company (Company) is a Colorado nonprofit corporation. The Company delivers irrigation water to over six thousand homes in the area known as the Redlands. The Redlands, which was once primarily agricultural, is now predominately residential. The Company owns an absolute 1905 water right, as well as other water rights. The Company at one time owned most of the lands served by its system, which were obtained through the Desert Lands Act. From 1905 to the present, the Company has operated and maintained canal systems that provide irrigation water within a set distribution boundary to the Company's shareholders. The Company's water system includes a generation plant, which produces electricity for the Company's use and surplus electricity which is sold to Public Service Company of Colorado.

The Company operates and maintains 26 miles of canals and roads. Private entities and individuals own most of the property underlying the canals and roads. The Company owns some of its rights-of-way in fee. On those parts of its canal system that the Company does not own, the Company has an easement, which is the dominant property interest which allows the Company to service its shareholders and maintain the system. No other use can unreasonably interfere with the Company's right to use its easement.

Because of the changing nature of the community, the demands on the Company's system have increased, making operation and maintenance of the system more costly and complex. Community growth and development is important to the valley and also the Company. The Company wants to support the community to the best of its ability. However, the Company's priority is the cost efficient delivery of irrigation water to its shareholders. Any public recreational use of Redlands canal rights-of-way shall not be a financial burden on the Company or its shareholders.

To that end, the Company has established the following that must be met by a public or private entity that proposes to use Redlands canal roads for public recreation

and trail purposes (Proposing Entity) to insure safe and economic operation before the Company will consent to such use of its canal easements and rights-of-ways.

1. Written consent to the proposed use must be obtained by the Proposing Entity from the underlying landowners of the land on which a canal bank is located. This would normally consist of a license or an easement granted by the landowner to the Proposing Entity.

2. Any proposed use of canal banks must recognize and protect the Company's dominant right to use the right-of-way, including, but not limited to, any activities associated with the operation, maintenance or administration of the canals and associated improvements.

3. Redlands shall retain the right to close any portion of the canal system for operation, administration, maintenance, construction and reconstruction of the canal system, or any other reason, at its discretion. Such closure shall be of a duration necessary to accomplish the related purpose of the closure.

4. A Proposing Entity, other than the City of Grand Junction or Mesa County, must demonstrate, to the Company's satisfaction, that it has the appropriate authority and financial resources to develop, operate, maintain and police the proposed uses and facilities on a long term basis.

5. An agreement between the Proposing Entity and the Company regarding recreational and trail use must be prepared and agreed to by both parties prior to any such use.

6. The Proposing Entity shall agree to satisfy the concerns raised by the Company in any plan of implementation. For example, the Proposing Entity shall agree that no vehicular use shall be permitted on canal roads. Under the plan of enforcement and with the agreement of the Company, the Proposing Entity shall permit certain uses and deny certain uses. If sanitary facilities and parking are needed, the Proposing Entity will provide for them. A period of use may be required before the need for such facilities (and their frequency and location) become apparent.

7. The Proposing Entity shall prepare and implement a plan for enforcement of these restrictions on the use of the canal rights-of-way, which must be approved by the Company and incorporated into the agreement between the Company and the Proposing Entity prior to use of the canal rights-of-way by the public. The plan shall include periodic patrolling of the affected portions of the canal rights-of-way by employees or agents of the Proposing Entity, and shall also include a procedure which will allow the

Company's employees or landowners to obtain immediate assistance from law enforcement personnel in the event of a conflict or threatened conflict with members of the public using the canal rights-of-way.

8. The Company retains the right to terminate the agreement by giving notice to the Proposing Entity. In particular, but without limitation, the Company may terminate the agreement if it determines that the plan for maintenance, repair and patrolling of the affected portions of the canal rights-of-way is not being adequately implemented by the Proposing Entity, or if law enforcement personnel fail to respond to a request for assistance from the Company's employees in the event of a conflict or threatened conflict with members of the public using the canal rights-of-way. The Proposing Entity may be provided an opportunity to cure under the terms and conditions set forth in the agreement.

9. The Proposing Entity must indemnify and hold harmless the Company and its shareholders from any claims, losses, damages and liability, including any reasonable attorneys' fees and costs, arising from public use of the canal rights-of-way.

10. The Proposing Entity must provide and keep in force and effect at all times a minimum of \$2,000,000 (subject to an escalator provision to account for inflation) in liability insurance, including contractual liability coverage, naming the Company as an additional insured, insuring against all potential liability under Colorado law. The Company shall be provided with thirty (30) days written notice by the insurer prior to the cancellation or termination of such insurance. The Company shall be provided proof of such insurance at reasonable times or upon request of the Company.

11. The Proposing Entity must provide and keep in force at all times adequate insurance covering damage to private property of the Company and the underlying landowner within the canal rights-of-way. The Company shall be provided with thirty (30) days written notice by the insurer prior to the cancellation or termination of such insurance. The Company shall be provided proof of such insurance at reasonable times or upon request of the Company.

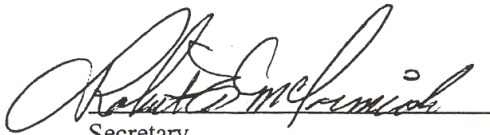
12. The Proposing Entity shall be responsible for obtaining and installing all signage regarding usage of the canal rights of way under this policy and the agreement between the Company and the Proposing Entity, including, but not limited to, signs giving notice of rules for and restrictions on public use of the canal rights of way, signs delineating portions of the canal rights of way available for public use, and signs marking open and closed sections of the canal rights of way. The Proposing Entity shall obtain signs for temporary closures for maintenance, construction, reconstruction and operation

of the canals and canal rights of way. Placement of all such signs shall be as determined by the Company.

13. Rules for trails use must include, but not necessarily limited to, the following:

- a. No motorized vehicles shall be permitted.
- b. No fishing, swimming, wading, tubing or boating will be allowed in the canal.
- c. No camping or ground fires will be allowed.
- d. No hunting, firearms, weapons, or explosives will be allowed.
- e. No littering or dumping of trash will be allowed.
- f. No alcoholic beverages will be allowed.
- g. Public use shall be during daylight hours (from dawn to dusk) only.
- h. Pets must be physically restrained at all times and under the control of a person. No pets are allowed in the canal. Pet owners must remove all animal waste.

This policy was duly adopted by the Board of Directors of Redlands Water and Power Company on December 8, 1999. This policy may be revised at any time at the discretion of the Board of Directors of Redlands Water and Power Company.


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News: Opinion

Editorial: Redlands Power blazes important trail

The Daily Sentinel

The Redlands Water and Power Co. took a welcome step down an important trail this week with its new policy on the use of canal banks for public recreation.

Not that the policy, presented to the Grand Junction City Council Monday, will mean the immediate or even the near-term opening of Redlands canal banks to public use. The new policy contains one critical proviso: Owners of the property on which canal banks are located must give the city written notice that they have no objection to the canal bank being open to the public.

It's a safe bet that landowners will not rush to give that consent. But if they do in sufficient numbers to create a test section of public-use trail, and if that test demonstrates public use can occur without creating undue problems for private property owners, it may help convince other landowners to give consent.

Moreover, the new policy could demonstrate to other canal organizations and the landowners they serve that recreational use and canal operations can coexist.

To that end, the new Redlands policy has a clause which allows the company to close the canals for maintenance and repair. It requires the city or any other entity wanting to use the canal banks for public use to maintain \$2 million in liability insurance. And it prohibits such things as hunting, camping and alcoholic beverages along the canal banks, as well as swimming in the canals.

For decades, canal banks in this valley were used as de facto recreation trails by many people. But as population increased and public use grew heavier, canal companies became understandably concerned about such issues as liability and damage to private property. Although most recreational use is illegal, a fair amount of trespass use occurs.

That's because canal banks remain an attractive route for hiking, biking, horseback riding and other activities in a valley which has become increasingly urbanized.

None of this is to suggest that canal companies and the private property owners who depend on them should be forced to open up the canal banks for public recreation. But kudos are due to the Redlands Water and Power Co. for taking a first step which can help show that voluntary arrangements for public use of canal banks can work for the benefit of everyone.

Attach W-3
DTA Vendors Fee Proposal

December 13, 2001

City of Grand Junction
City Council
250 North 5th Street
Grand Junction, CO 81501

Re: Vendor Fee

Dear Council Members,

Thank you for taking time to review the materials attached and consideration of a vendor fee ordinance.

The vendor fee currently is .33% of city sales tax retained by the vendor. According to City Staff, the vendors fee within the TIF/DDA district retained by vendors was approximately \$46,000 in year 2000. The Association plans to combine all of these funds from vendors within the Downtown Development TIF boundaries to use strictly for marketing the downtown area. A volunteer committee of seven downtown business owners will manage the advertising fund. They will have monthly meetings to plan their ongoing course of action. The money would be held in a Downtown Association account and one board member would serve on the committee.

The Association board has made great efforts to insure all business within the boundaries have been contacted.

Again, thank you for considering this proposal. We hope, after reviewing the information provided, you will quickly pass this resolution to enable the local merchants and restaurants downtown to compete with malls and other large organizations in town.

Please feel free to contact me with any questions or concerns.

Sincerely,

Susan Cafarelli
Chair

Attachment

SC/jm

Attach W-4

Water Line Replacement Debt Financing

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL		
Subject:	Debt Financing for Water Line Replacements	
Meeting Date:	December 17, 2001	
Date Prepared:	December 7, 2001	
Author:	Trainor/Prall	Utilities Manager, Utilities Engineer
Presenter Name:	Mark Relph	Public Works & Utilities Director
X	Workshop	Formal Agenda

Subject:

Consideration of Debt Financing for Water Line Replacements

Summary:

The accelerated construction of combined storm and sanitary sewer separations during 2003 and 2004 provides the opportunity to replace priority water line replacements at the same time.

Background Information:

The Combined Sewer Elimination Project (CSEP) is currently proposed for construction in 2003 and 2004. This construction will affect many of the streets in the downtown core. In light of this, Utility staff was asked to evaluate the replacement of other utilities so as to potentially reduce the impacts to neighborhoods.

This proposal is to secure debt financing to fund the replacement of water lines in areas south of North Avenue to the Colorado River during the CSEP construction. This proposal would not only have the effect of completing all construction at the same time but also eliminating lead water services and inconvenience to customers because of on-going break repairs.

There are 72,185 LF (13.7 miles) of water mains that are currently proposed for replacement due to break history and needing fire protection upgrades in the 10-year financial plan. The cost to complete the entire list of priority water line replacements is estimated at \$5.52 million.

However, the areas affected by the combined sewer elimination project have 46,985 LF (8.9 miles) of water line replacements.

Areas South of North Ave

Number of projects: 34
 Linear footage needing to be replaced: 46,985 (8.9 miles)
 Estimated cost to replace: \$3,497,200

Another alternative would be to replace only those sections of water lines directly affected by the storm sewer construction, such as crossings, leaving the balance of the priority replacements to be constructed as currently budgeted in the 10-year financial plan. The current 10-year financial plan for water line replacements has been prepared to accommodate this alternative.

Budget:

If the area south of North Avenue that is affected by the CSEP were replaced over the next 2 years, and the \$3,497,200 was financed at 5.0% over 20 years, the annual payment would be **\$280,624**. Staff is suggesting Council consideration of this alternative.

Average capital funds budgeted in the 10-year Water Enterprise Fund financial plan for water line replacements, between 2002 and 2011, is \$450,000 per year. Current debt in the Water Enterprise Fund is \$13,902 per year.

Additional debt of \$280,624 would come from the current average water line replacement budget of \$450,000. Assuming no significant changes to the current 10-year financial plan, water rates would not be affected beyond what is currently budgeted in the 10-year plan, that is, 0% increase in 2002 and 2003 and 2% annual increases between 2004 and 2011.

Sources of funds for underwriting may come from the same funds as the CSEP or traditional borrowing. These borrowed funds are not subject to Taber revenue caps.

Action Requested/Recommendation:

It is recommended that water line replacements south of North Avenue be completed at the time of the combined sewer separation, at an estimated cost of \$3,497,200.

Citizen Presentation:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	If Yes,
Name:							
Purpose:							

Report results back to Council:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Yes	When:	<input type="checkbox"/>
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Placement on Agenda:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Consent	Indiv. Consideration	Workshop
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Attach W-5

Written Report on Storm Water Utility Issue

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Grand Valley Stormwater Management Update	
Meeting Date:	December 17, 2001	
Date Prepared:	December 12, 2001	
Author:	Greg Trainor Trent Prall	Utilities Manager Utilities Engineer
Presenter Name:	Mark Relph	Public Works and Utilities Director
X	Workshop	Formal Agenda

Subject:

Written report to City Council on the status of the long-term Grand Valley Stormwater Management program.

Summary:

Stormwater managers in the Grand Valley are working to simplify stormwater management in the Grand Valley. Unification of efforts may be an important alternative to organizing the myriad of efforts currently required to handle storm flows and drainage in the Grand Valley. Staff has explored ways to obtain community support for such an effort and is looking to City Council for direction on the next appropriate step.

Background Information:

For the last 18 months, City of Grand Junction, Mesa County, Grand Junction Drainage District, and City of Fruita staff have met to discuss approaches to simplifying stormwater management efforts in the Grand Valley. The four entities are represented on Statewide working groups dealing with stormwater permitting regulations and are taking an aggressive approach to public education relative to solving the stormwater problems in the Valley. Presentations outlining flooding problems, operation and maintenance needs, capital needs, pending federal regulations and overlapping jurisdictions have been made to the governing boards of the irrigation districts, the County Commissioners, City Councils and some civic groups. Recent discussions with the City Manager, County Manager, Drainage District management, Fruita and Palisade recommend that additional presentations be made to the major service groups in the Grand Valley, concentrating on the flooding created by uncontrolled stormwater.

Community understanding of the problem and the potential solutions, particularly as to what the solutions cost, is imperative to future success of any stormwater management program in the Grand Valley. One discussion that has taken place is the possible creation of a stormwater steering committee made up of civic leaders,

Council/Commission members, homeowners, engineers, irrigation district representatives, etc. The purpose of the steering committee would be to understand what the stormwater problem is and, with staff as technical support, develop recommended solutions, including the organization and funding mechanisms necessary to solve the problem.

Consideration by City Council is needed on whether or not a steering committee is a beneficial next step.

How could stormwater be managed in the future? Several alternatives have been discussed:

- 1.) A new service provider, 2.) Expanding operations of one of the existing providers, or 3.) Implementing a series of intergovernmental agreements. Last year the above entities jointly applied for a grant from the Colorado Water Conservation Board to help fund a unification study. Indications are that we will receive the \$75,000 grant in July of 2002.

Action Requested/Recommendation:

No response or discussion is expected at the workshop.

Council is asked to consider what type of direction you might give staff as to the formation of a steering committee and what the make-up of the committee might be.

Citizen Presentation:	<input checked="" type="checkbox"/>	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> If Yes,
Name:				
Purpose:				

Report results back to Council:	<input type="checkbox"/> No	<input type="checkbox"/> Yes	When:	
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Placement on Agenda:	<input type="checkbox"/> Consent	<input type="checkbox"/> Indiv. Consideration	<input checked="" type="checkbox"/> Workshop
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