

November 17, 2015 -- Property Transaction Proposal
Colorado Parks and Wildlife

Coller State Wildlife Area Rio Grande River Access Fee Title Acquisition

Rio Grande County

2.46 acres

South Fork

Section 33-1-105 (3)(a), C.R.S. states:

In the event that the [Parks and Wildlife] Commission plans to acquire the fee title to any real property or to acquire an easement for a period to exceed 25 years or at a cost to exceed \$100,000 or to enter into any lease agreement for the use of real property for a period to exceed 25 years or at a cost to exceed \$100,000, or to sell or otherwise dispose of the fee title to any real property which has a market value in excess of \$100,000, the Commission shall first submit a report to the Capital Development Committee [CDC] which outlines the anticipated use of the real property, the maintenance costs related to the property, the current value of the property, any conditions or limitations which may restrict the use of the property, and, in the event real property is acquired, the potential liability to the state which will result from such acquisition. The CDC shall review the reports submitted by the Commission and make recommendations to the Commission concerning the proposed land transaction within 30 days from the day on which the report is received. The Commission shall not complete such transactions without considering the recommendations of the CDC, if such recommendations are timely made.

The required report is attached. CDC staff questions about the report are listed below.

Action Required

Recommend support for the fee title acquisition of the Coller State Wildlife Area Rio Grande River Access Parcel (\$125,000 CF for 2.46 acres).

CDC Staff Notes

1. Did the current owner acquire the lot from the original subdivision developer in 2003?

No. It was acquired from a private party.

2. Is future development still planned for other lots in the subdivision? Have other lots in the proposed subdivision been developed? If so, in what proximity are they to Lot 15?

The subdivision contains a total of 62 lots (25 of which have river frontage). Thirty-one (50%) of the lots have been developed with single-family houses (see aerial map). Lot 15 is the eastern-most lot in the subdivision. It sticks out all by itself and only abuts one other lot (Lot 14). Lot 14, to the west, is undeveloped. The bulk of the subdivision is well west of Lot 15. Our estimate, based on aerial views, is that the closest developed lot (Lot 13) is approximately 250 feet away (see aerial map).

3. Do the neighboring lot holders support this acquisition?

CPW believes that they do. The Deer Park Owners Association, at its July 2015 annual meeting, approved a provision that Lot 15 could be subdivided (which CPW has no intention of doing at this time). The subdivision possibility was independently raised by the owners of Lot 15 (the Bradleys) because they thought it might assist CPW in the future, and the Association understood this. Since it would not have been appropriate at the time, CPW had no part whatsoever in this action, but we believe that if the Association had been opposed to CPW's ownership, it would have voted against the subdivision option. In addition, we know from conversations we have had with the Denver & Rio Grande Historical Railroad (which abuts Lot 15 to the south), that the railroad is in favor of CPW ownership and of working with CPW on improving launch ramp access for the public.

4. Why does the landowner desire to close on the acquisition in 2015?

The launch ramp, and public access to the ramp, have been a source of conflict between the Bradleys, CPW and the public for the past few years. Public access has been more difficult during this period and this past summer the Bradleys attempted to prevent all access and consequently ran into significant public use and trespass issues. It is a very difficult situation for both parties. CPW is as anxious as are the Bradleys to close the purchase so that we can move forward to restoring unimpeded access to the river. The launch ramp is important to our fishing and recreational public and it is very important economically to the South Fork region.

November 17, 2015 -- Property Transaction Proposal
Colorado Parks and Wildlife

Coller State Wildlife Area Rio Grande River Access Fee Title Acquisition

Rio Grande County

2.46 acres

South Fork

5. What is the current annual usage of the launch ramp (e.g., boats or number of recreational users)?

CPW monitors and enforces regulations at Coller SWA (of which this ramp is a part), but is not constantly present at the ramp, so we do not have precise numbers. The District Wildlife Manager says that on a busy day there will be as many as 15 vehicles putting rafts/boats into or taking them out of the Rio Grande at that site, sometimes more. We do track commercial use and had, for example, more than 200 commercial users in July 2014.

Capital Development Committee
November 2015—Property Transaction Proposal

Department of Natural Resources
Division of Parks and Wildlife

Action Required	Pursuant to C.R.S. 33-1-105(3)(a) and C.R.S. 33-10-107(2) recommend to the Colorado Parks and Wildlife Commission support for the Division of Parks and Wildlife’s proposal to acquire fee title to four acres of undeveloped land in South Fork.
------------------------	---

General Information	
Name	Coller State Wildlife Area – Rio Grande River Access
Number of acres	2.46 acres
Location	South Fork
County	Rio Grande

Costs / Source of Funding			
Purchase Price	\$125,000	Funding Source	Cash Funds, from Habitat Stamp Revenues which are earmarked for the benefit of wildlife habitat or access to wildlife habitat, pursuant to C.R.S. 33-4-102.7 and GOCO Wildlife Purpose
<i>Spending authority has already been approved for this project in the Long Bill.</i>			
	Fiscal Year	2014-15	
	Line Item	Land and Water Acquisitions	
	Appropriation	\$6,500,000	
	Remaining Unexpended Balance	\$2,694,945	
GOCO	GOCO Funds are not appropriated in the Long Bill		
	Fiscal Year	2014-15 - GOCO Wildlife Purpose	
	Line Item	GOCO14150	
	Appropriation	\$3,800,000	
	Remaining Unexpended Balance	\$3,800,000	
Annual Monitoring and Operation Costs	No additional costs above current operations (property currently is part of Coller SWA) but the estimated annual Impact Assistance Grant will be \$13.31.	<i>This cost includes an annual estimated Impact Assistance Grant payment for this property. Funding for the monitoring and operation costs of the property will come from Wildlife Operations Line Item under the Division Operations Group in the Long Bill.</i>	
Development Costs	Up to \$350 for additional or	Funding for the development costs will come from Wildlife Operations Line Item under the	

	replacement signs	Division Operations Group in the Long Bill.
* The Division may alter the source of funds for individual acquisitions based on circumstances that arise in the time period prior to closing.		

Summary of Proposal:

Since 1988 this property has been a portion of the Coller SWA pursuant to an easement for fishing on the Rio Grande granted to the Division of Wildlife by a subdivision developer. The easement includes the right for a 20 foot wide path over the subject property (Deer Park Subdivision Lot 15) along with the right of the public, on foot, to hand-carry rafts to the river. The easement makes no mention of a launch ramp. In fact, for many years, the public has been driving to the launch ramp on Lot 15, launching boats and rafts, and parking on or near the property. The landowners (Bradley) announced this year that they would no longer allow any vehicular access to the ramp and have greatly restricted access of any kind over their property. They offered the property to CPW for fee title acquisition through the RFP process.

The proposal is for a fee title acquisition by CPW of the property containing the Rio Grande launch ramp that has been used by the public since at least 1988. Ownership of the property will allow CPW to keep open a launch ramp that is very important to CPW's fishing and boating public and is equally important to the South Fork area community economically. If CPW does not acquire the property, the property owners almost certainly will attempt to close down or greatly restrict any access to the launch ramp and the river.

In order to accommodate the landowner's desire to close this project in 2015, this proposal is being presented to the CDC prior to its final presentation to the Colorado Parks and Wildlife Commission. The project will be presented to the Parks and Wildlife Commission on November 20, 2015.

Additional information:

Current and Future Uses. The property currently is an undeveloped lot at the eastern end of a residential subdivision. There are no improvements. If the fee is acquired, CPW would continue to use the property to provide public access to the Rio Grande for fishing, rafting and boating.

Date land owner purchased the property: 2003.

According to a review of the first map referenced below, the Property lies outside the scope of regions of known or potential geothermal resources. Also, according to a review of the second map referenced below, the Property lies outside the Central Solar Power and the Wind Resource Generation Development areas.

Geothermal: November, 2003 US Department of Energy, Office of Energy Efficiency and Renewable Energy, Geothermal Technologies Program.

Wind and Solar: A map entitled "SB07-91 Renewable Resource Generation Development Areas" from "Renewable Energy Development Structure," a report of the Colorado Governor's Energy Office dated December 2009.

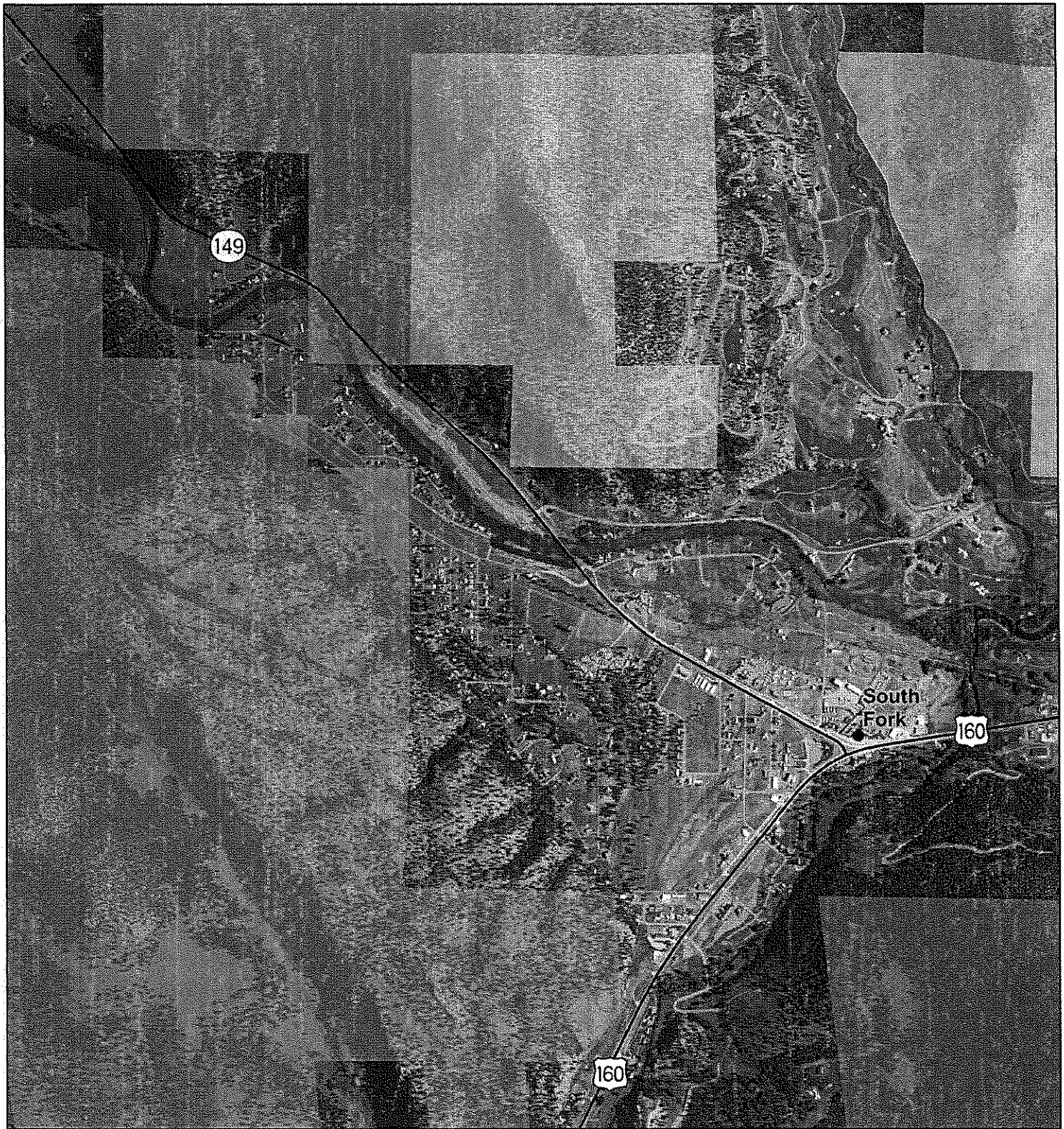
Mineral Interest Ownership:

According to the title insurance, there is no indication that any mineral rights have been severed from the surface ownership. However, given the fact that the property is a long, very narrow lot

(containing less than five acres) on the Rio Grande, it would be highly unlikely that any surface mining would be feasible or permitted.

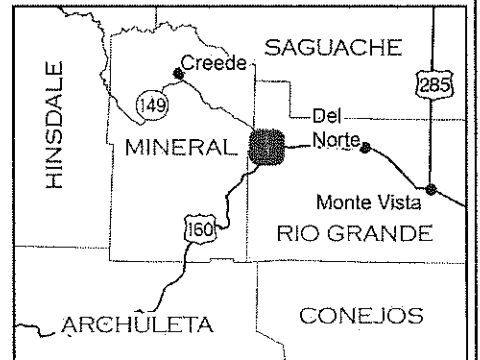
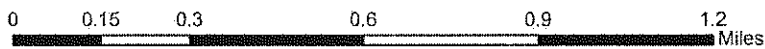
Attachments:

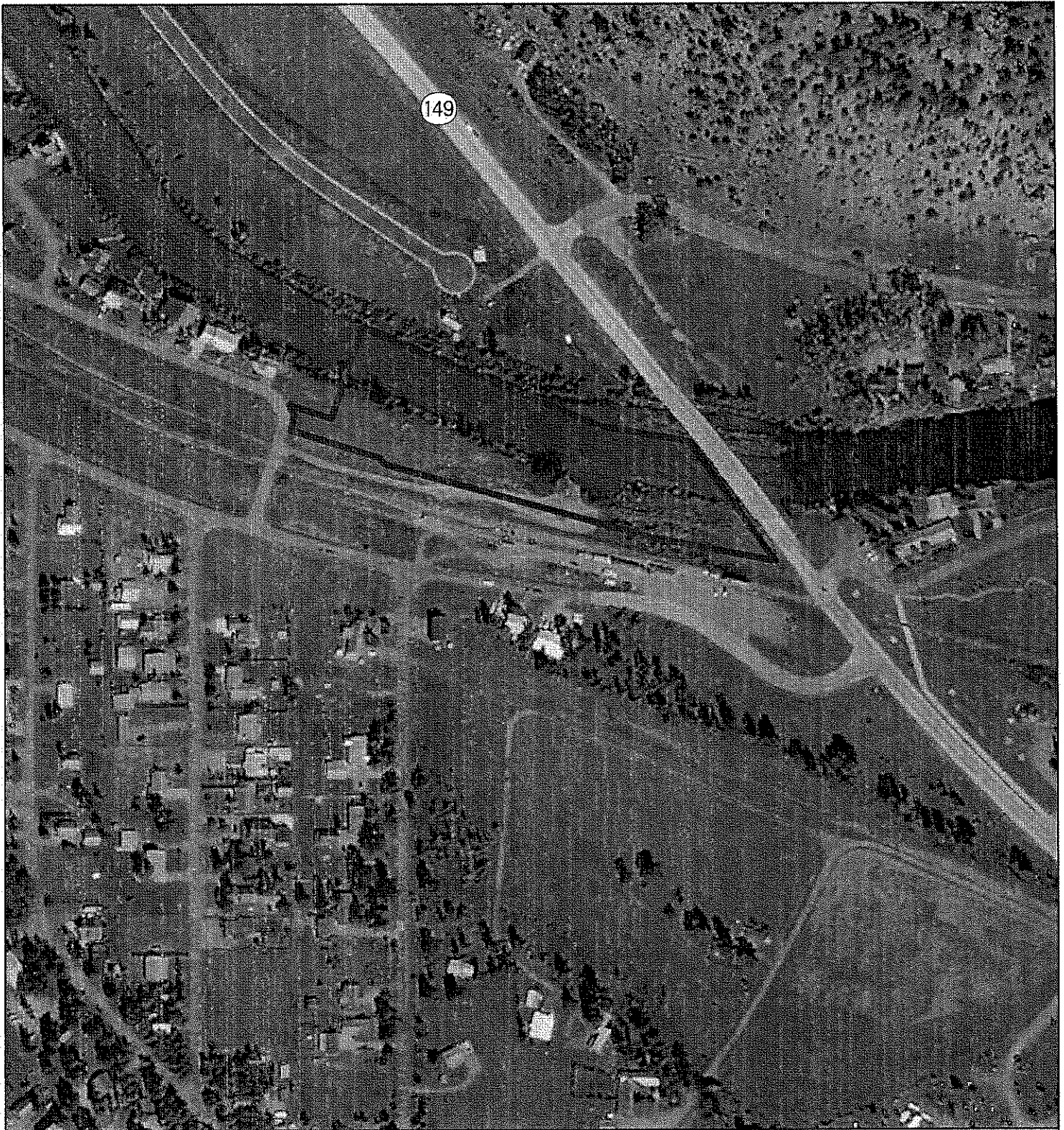
- Map
- Concurrence letters
- Three (3) comparables from appraisal



Coller SWA - Rio Grande River Access RFP
Fee Title Acquisition (14-058-SW)
Rio Grande County

- Rio Grande Fishing Access
- Deer Park Fishing Access Easement
- Bureau of Land Management
- US Forest Service







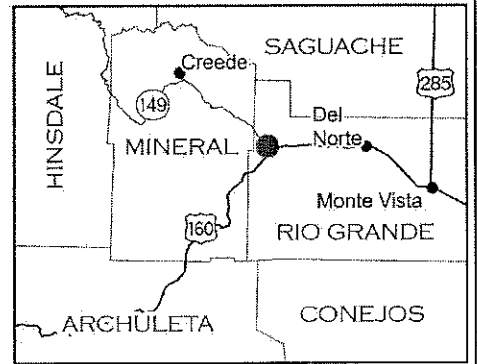
Coller SWA - Rio Grande River Access RFP

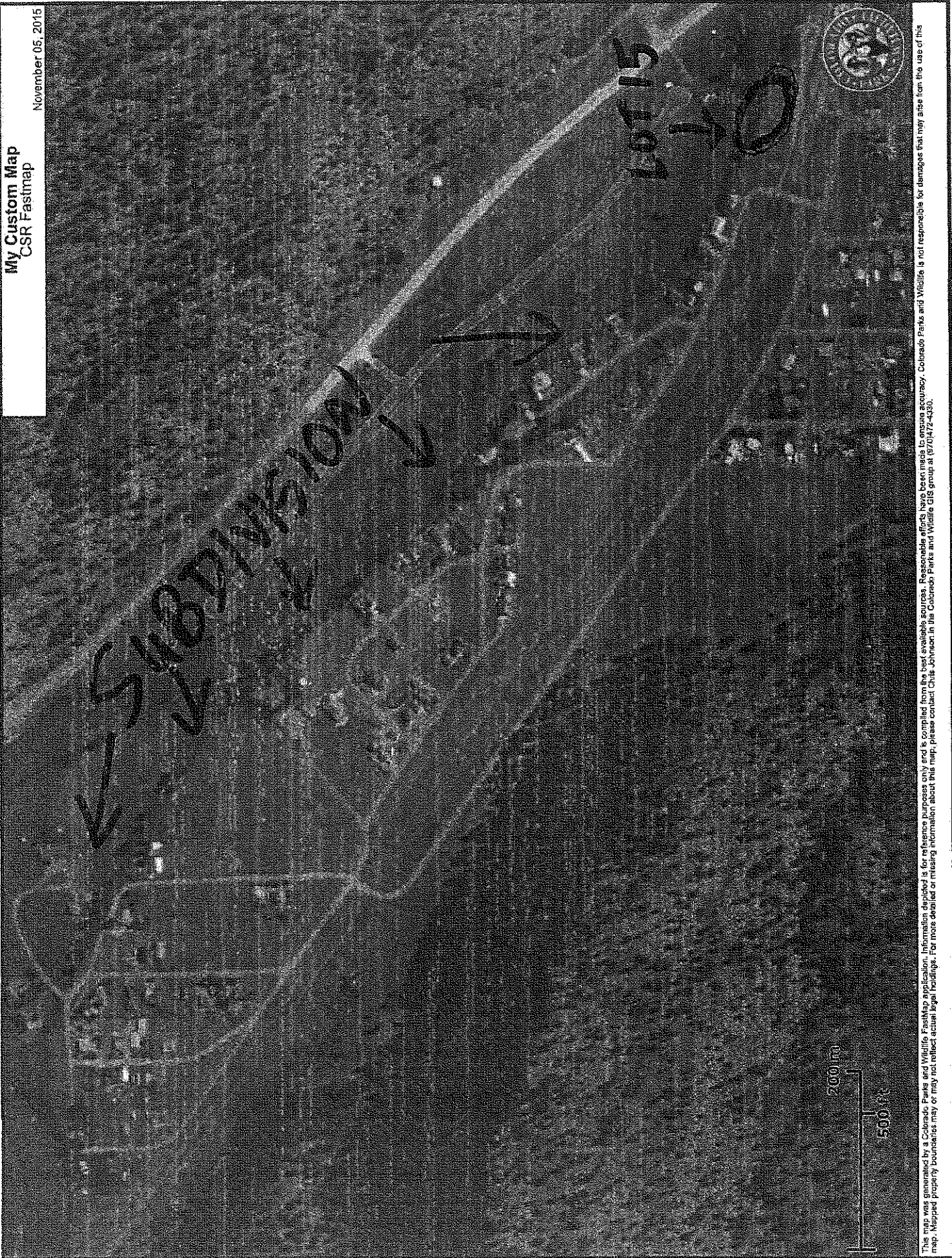
Fee Title Acquisition (14-058-SW)

Rio Grande County

-  Rio Grande Fishing Access
-  Deer Park Fishing Access Easement

0 140 280 560 840 1,120 Feet







COLORADO

Parks and Wildlife

Department of Natural Resources

Monte Vista Office
0722 S. CO. Rd. 1 East
Monte Vista, CO 81144
P 719-587-6900

Representative Ed Vigil - District 62
Colorado State Capitol
200 E. Colfax Ave.
Denver, CO 80203

RE: Bradley Proposal for Fee Title Purchase by CPW

Dear Representative Vigil,

Colorado Parks and Wildlife (CPW) would like to request your support for legislative approval to acquire approximately 3 acres of land in South Fork, CO. The owner of this land, Mr. Bradley, has submitted a proposal to CPW to purchase his land through our Colorado Habitat Protection Program. Because of the importance of this land to recreational users and business interests associated with the Rio Grande River in the South Fork, Del Norte and Creede communities, we believe that this purchase is critical to achieving our mission in this particular regard.

The subject property is located just west of the Hwy 149 Bridge over the Rio Grande between train station and the river. It encompasses the area that has been used as a raft launch/take-out ramp for approximately 27 years. We have had an easement over and across the Deer Run Subdivision for public fishing since 1988. Included in that easement was the ability to carry boats/rafts over Lot 15; however, at the time that this easement was negotiated there was an agreement between the developer and DOW. That agreement was that the public could have vehicular access to the launch ramp until the time that lots began to be developed. Once development began some years later, the use did not stop and the public was ingrained to believe that they had every right to use this access point as they have had for greater than two decades.

The most recent owner of Lot 15, Mr. Bradley, has taken exception to the contrary use of his land and has worked with us to stop that use. Through our RFP process the owner has offered to sell us his lot, so that we can keep that incredibly important access open to the public. I don't need to tell you, but this access point is heavily used by the public and is an economic resource to the town, county and other nearby communities. Not to mention the role it plays in the recreational aspects associated with the river that benefits residents and non-residents alike.

Thank you for your consideration of this request. You may choose to draft your own response letter and it would be gratefully accepted. However for your convenience, I have provided a signature line on this letter where you may indicate your concurrence/support. I have provided options to indicate your level of support in the signature box; please circle one. If you have any questions, please feel free to call me at (719) 588-8200.

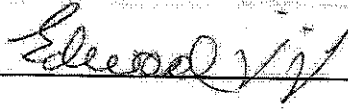


Sincerely,



Rick Basagoitia
Area Wildlife Manager - San Luis Valley
Colorado Parks and Wildlife

I [~~do not oppose, concur~~, strongly support] this land trade
between Mr. Bradley and the Colorado Parks and Wildlife.





COLORADO

Parks and Wildlife

Department of Natural Resources

Monte Vista Office
0722 S. CO. Rd. 1 East
Monte Vista, CO 81144
P 719-587-6900

Senator Larry Crowder - District 35
Colorado State Capitol
200 E. Colfax Ave.
Denver, CO 80203

RE: Bradley Proposal for Fee Title Purchase by CPW

Dear Senator Crowder,

Colorado Parks and Wildlife (CPW) would like to request your support for legislative approval to acquire approximately 3 acres of land in South Fork, CO. The owner of this land, Mr. Bradley, has submitted a proposal to CPW to purchase his land through our Colorado Habitat Protection Program. Because of the importance of this land to recreational users and business interests associated with the Rio Grande River in the South Fork, Del Norte and Creede communities, we believe that this purchase is critical to achieving our mission in this particular regard.

The subject property is located just west of the Hwy 149 Bridge over the Rio Grande between train station and the river. It encompasses the area that has been used as a raft launch/take-out ramp for approximately 27 years. We have had an easement over and across the Deer Run Subdivision for public fishing since 1988. Included in that easement was the ability to carry boats/rafts over Lot 15; however, at the time that this easement was negotiated there was an agreement between the developer and DOW. That agreement was that the public could have vehicular access to the launch ramp until the time that lots began to be developed. Once development began some years later, the use did not stop and the public was ingrained to believe that they had every right to use this access point as they have had for greater than two decades.

The most recent owner of Lot 15, Mr. Bradley, has taken exception to the contrary use of his land and has worked with us to stop that use. Through our RFP process the owner has offered to sell us his lot, so that we can keep that incredibly important access open to the public. I don't need to tell you, but this access point is heavily used by the public and is an economic resource to the town, county and other nearby communities. Not to mention the role it plays in the recreational aspects associated with the river that benefits residents and non-residents alike.

Thank you for your consideration of this request. You may choose to draft your own response letter and it would be gratefully accepted. However for your convenience, I have provided a signature line on this letter where you may indicate your concurrence/support. I have provided options to indicate your level of support in the signature box; please circle one. If you have any questions, please feel free to call me at (719) 588-8200.



Sincerely,



Rick Basagoitia
Area Wildlife Manager - San Luis Valley
Colorado Parks and Wildlife

I [do not oppose, concur, strongly support] this land trade
between Mr. Bradley and the Colorado Parks and Wildlife.

Sen. Larry Crowder

RIO GRANDE COUNTY

BOARD OF COUNTY COMMISSIONERS

rgcommissioner@riograndecounty.org

926 6th St., Room 207
Del Norte, Colorado
81132
(719) 657-2744
Fax (719) 657-2514

November 2, 2015

BOARD OF COMMISSIONERS

Doug Davie
Chairman

Pam Bricker
Vice-Chairman

Karla L. Shriver
Commissioner

Mr. Rick Basagoitia
Colorado Division of Wildlife
0722 South County Road 1 East
Monte Vista, CO 81144

Dear Mr. Basagoitia:

ADMINISTRATION OFFICE:

ADMINISTRATOR
Suzanne L. Benton

H.R. Financial Officer
Kristy Dennis

The Board of Rio Grande County Commissioners are in full support for the legislative approval to acquire approximately three acres in South Fork. The property access is used heavily by the public and has an economic impact to the Town of South Fork. The access is used for recreational activities related to the Rio Grande River and benefits both residents and tourists.

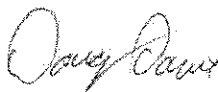
There is a great advantage for the Colorado Division of Wildlife to purchase the property and would be a benefit to all the users to access the Rio Grande River.

If you have any questions; please feel free to contact the Board of County Commissioners at 719-657-2744.

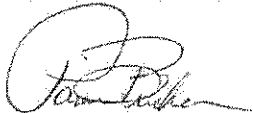
Good Luck..

Sincerely,

BOARD OF RIO GRANDE COUNTY COMMISSIONERS



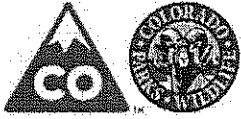
Doug Davie
Chairman



Pam Bricker
Vice-Chair



Karla Shriver
County Commissioner



COLORADO

Parks and Wildlife

Department of Natural Resources

Monte Vista Office
0722 S. CO. Rd. 1 East
Monte Vista, CO 81144
P 719-587-6900

Rio Grande County Commissioners
925 6th Street Room 207
Del Norte, CO 81132

RE: Bradley Proposal for Fee Title Purchase by CPW

Dear Commissioners,

Colorado Parks and Wildlife (CPW) would like to request your support for legislative approval to acquire approximately 3 acres of land in South Fork, CO. The owner of this land, Mr. Bradley, has submitted a proposal to CPW to purchase his land through our Colorado Habitat Protection Program. Because of the importance of this land to recreational users and business interests associated with the Rio Grande River in the South Fork, Del Norte and Creede communities, we believe that this purchase is critical to achieving our mission in this particular regard.

The subject property is located just west of the Hwy 149 Bridge over the Rio Grande between train station and the river. It encompasses the area that has been used as a raft launch/take-out ramp for approximately 27 years. We have had an easement over and across the Deer Run Subdivision for public fishing since 1988. Included in that easement was the ability to carry boats/rafts over Lot 15; however, at the time that this easement was negotiated there was an agreement between the developer and DOW. That agreement was that the public could have vehicular access to the launch ramp until the time that lots began to be developed. Once development began some years later, the use did not stop and the public was ingrained to believe that they had every right to use this access point as they have had for greater than two decades.

The most recent owner of Lot 15, Mr. Bradley, has taken exception to the contrary use of his land and has worked with us to stop that use. Through our RFP process the owner has offered to sell us his lot, so that we can keep that incredibly important access open to the public. I don't need to tell you, but this access point is heavily used by the public and is an economic resource to the town, county and other nearby communities. Not to mention the role it plays in the recreational aspects associated with the river that benefits residents and non-residents alike.

Thank you for your consideration of this request. You may choose to draft your own response letter and it would be gratefully accepted. However for your convenience, I have provided a signature line on this letter where you may indicate your concurrence/support. I have provided options to indicate your level of support in the signature box; please circle one. If you have any questions, please feel free to call me at (719) 588-8200.





November 12th, 2015
Representative Edward Vigil, Chair
Capital Development Committee

RE: November 17th meeting of consideration of Real Property transactions, Colorado Division of Parks and Wildlife

Dear Representative Vigil,

On behalf of the Colorado Water Project of Trout Unlimited, and the San Luis Valley Chapter of Trout Unlimited (TU), please accept this letter as an expression of our enthusiastic support of the purchase of property that will secure the permanent use of the Highway 149 boat ramp located within the town of South Fork, Colorado.

The acquisition of the property will secure an extremely valuable river access resource to residents and visitors who recreate on the upper Rio Grande. This boat ramp has been used by boaters for decades through leasing of the property by Colorado Parks and Wildlife. Recently, the lease agreement was terminated and the ramp was closed down for most of the 2015 boating season. The impact to users cannot be quantified, but suffice it to say that the town of South Fork and the San Luis Valley suffered a great loss this past year. The loss to residential and visiting recreational boaters is just a part of the problem. The loss to the commercial boating industry and associated rural economics is substantial. Colorado Parks and Wildlife shares in that loss too, as they receive 5% of the gross proceeds from commercial use of the access point. The damage extends to the fisheries resource, as the loss of this access point for both ingress and egress has resulted in commercial and recreational boaters being forced to use other sections of the river and therefore increasing pressure and traffic on those sections.

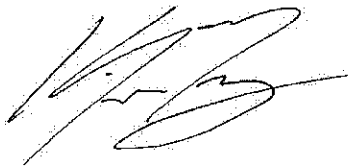
The highway 149 boat ramp is one of, if not the most popular river access point in the upper Rio Grande. The highly visible location within the town of South Fork is part of the character and identity of the town and it enables its citizens to connect with the River whose banks it is built on.

Trout Unlimited: America's Leading Coldwater Fisheries Conservation Organization
840 Grande Ave., Suite B (Po Box 281), Del Norte, CO 81132
(970)799-7682 • kterry@tu.org

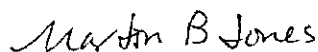
In Colorado, we know how very important our water and recreational way of life is to each and every one of us. A very conservative estimate of over 1,000 boats using this access each and every year provides rational support for this acquisition. There are at least 4 companies that rent rafts in addition to several vendors that provide guided rafting trips and at least 5 outfitters that provide guided fly-fishing trips. An extremely conservative estimate, used here merely as an example, shows that Colorado Parks and Wildlife is receiving more than \$5,000 ($\$125,000 * 5\% = \$6,250$) in annual revenues which justifies the maintenance costs and provides an eventual return on investment for the state. The boat ramp is accessible for longer durations than other river access points, as it lies lower in the system where suitable flows are sustained longer than upstream access points. The HWY 149 ramp also breaks up float sections providing options for boaters and spreading out use on the river. This reduces the impacts to the environment and the Gold Medal trout fishery.

The draft State Water Plan clearly shows the importance of river recreation to the citizens of Colorado. Securing this access point in the upper Rio Grande is a wise and rational investment for the state. Thank you and the Capital Development Committee for your consideration of this information in your decision.

Sincerely,



Kevin Terry
Rio Grande Basin Project Manager
Colorado Water Project of Trout Unlimited



Marty Jones
President
San Luis Valley Chapter of Trout Unlimited

Coller SWA – Rio Grande River Access – 14-058-SW

Real Estate Comparables from Appraisal with Effective Date
of August 31, 2015

Sale No. 1

Sale Date: August 15, 2014

Acreage: 4.59

Location: South Fork – CR 18 and Rio Grande River

Price: \$118,500

Sale No. 2

Sale Date: September 12, 2014

Acreage: 1.09

Location: South Fork – 143 Red Bluff Drive

Price: \$90,000

Sale No. 3

Sale Date: July 16, 2015

Acreage: 1.00

Location: South Fork – 155 Hidden Spring Circle

Price: \$88,000