

**Mar. 19, 2013 -- Property Transaction Proposal**  
**Division of Parks and Wildlife**

*Bodo State Wildlife Area Carbon Mountain Perpetual Administrative Access Easement*

La Plata County

22 Acres

1 mile southwest of Durango

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**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.**

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**Action Required**

Recommend support for the acquisition of a perpetual administrative access easement to access a portion of the Bodo State Wildlife Area (\$0 for 22 acres).

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**CDC Staff Questions**

None.



## Capital Development Committee March, 2013—Property Transaction Proposal

Department of Natural Resources  
Division of Parks and Wildlife

<b>Action Required</b>	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 a perpetual administrative access easement from the US Bureau of Reclamation.		
<b>General Information</b>			
Name	Bodo SWA - Carbon Mountain Access		
Number of acres	22		
Location	Approximately 1 mile southwest of Durango		
County	La Plata		
<b>Costs / Source of Funding</b>			
Purchase Price	\$0.00	Funding Source*	
	Spending authority has already been approved for this project in the Long Bill.		
	Fiscal Year		
	Line Item		
	Appropriation		
	Remaining Unexpended Balance		
Annual Monitoring and Operation Costs	\$0.00		
Development Costs	\$0.00		

### Summary of Proposal

Approximately 20 years ago the US Bureau of Reclamation (BOR) condemned a portion of the Bodo SWA. Due to construction of the Lake Nighthorse dam and homeland security concerns, Colorado Parks and Wildlife lost its access to Carbon Mountain. This project will restore CPW's perpetual administrative access to Carbon Mountain for weed spraying, habitat treatments and general administration and management of Bodo SWA.

Current and future use of the Property is an existing 2-tract across BOR lands.

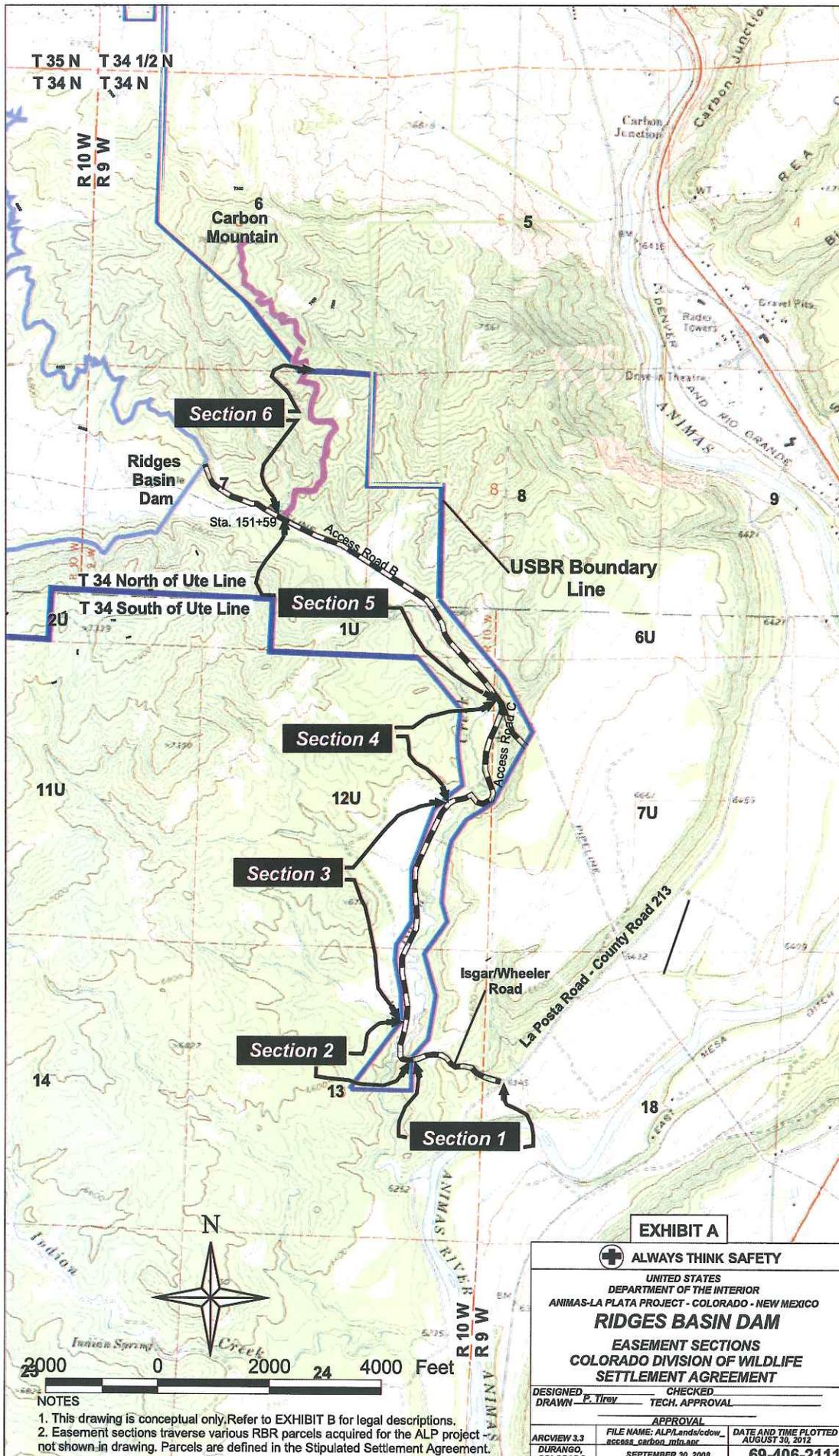
According to a review of the first map referenced below, the Property lies outside the scope of regions of known or potential geothermal resources. Also, according to a review of the second map referenced below, the Property lies outside the Central Solar Power and the Wind Resource Generation Development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

Attachments:

- Map
- Concurrence letters



- NOTES**
1. This drawing is conceptual only. Refer to EXHIBIT B for legal descriptions.
  2. Easement sections traverse various RBR parcels acquired for the ALP project not shown in drawing. Parcels are defined in the Stipulated Settlement Agreement.

**EXHIBIT A**

**ALWAYS THINK SAFETY**

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
ANIMAS-LA PLATA PROJECT - COLORADO - NEW MEXICO

**RIDGES BASIN DAM**

**EASEMENT SECTIONS  
COLORADO DIVISION OF WILDLIFE  
SETTLEMENT AGREEMENT**

DESIGNED: \_\_\_\_\_ CHECKED: \_\_\_\_\_  
DRAWN: P. Treviño TECH. APPROVAL: \_\_\_\_\_

ARCVIEW 3.3	FILE NAME: ALP_Lands/cadown_ access_colorado_mba.mxd	DATE AND TIME PLOTTED AUGUST 30, 2012
DURANGO, COLORADO	SEPTEMBER 30, 2008	69-406-2111





La Plata County  
Colorado

Board of County Commissioners

Robert A. Lieb, Jr., Chair • Julie Westendorff, Vice Chair • Gwen A. Lachelt, Commissioner

1060 East 2<sup>nd</sup> Ave  
Durango, CO 81301  
(970)382-6210

February 26, 2013

Ms. Patt Dorsey  
Area Wildlife Manager  
Colorado Parks and Wildlife  
151 E. 16<sup>th</sup> Street  
Durango, CO 81301

**SUBJECT: CARBON MOUNTAIN ACCESS THROUGH U.S. BUREAU OF RECLAMATION LAND**

Dear Ms. Dorsey:

We understand that the U.S. Bureau of Reclamation wishes to transfer an administrative access to the Carbon Mountain portion of Bodo State Wildlife Area through lands associated with the Animas-La Plata project, also known as Lake Nighthorse. We also understand that this is not a "new" access per se, but a restoration of historic access to Carbon Mountain that was condemned in the construction of Lake Nighthorse.

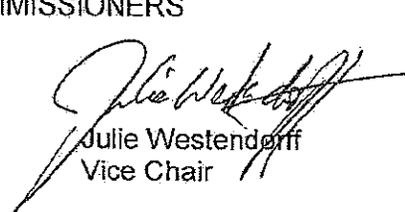
We understand the public accesses Carbon Mountain via designated areas with the Bodo SWA, such as that at CR 210, and that the subject access easement is for administrative purposes only.

We believe that administrative access to Carbon Mountain for weed spraying, fire fighting, habitat treatments and general administration of Bodo SWA is important to CPW and provides direct and indirect benefits to the residents of La Plata County, and therefore, we lend our support to the proposed transfer.

Sincerely,

LA PLATA COUNTY  
BOARD OF COUNTY COMMISSIONERS

  
Robert A. Lieb, Jr.  
Chair

  
Julie Westendorff  
Vice Chair

  
Gwen A. Lachelt  
Commissioner



ELLEN ROBERTS  
State Senator  
State Capitol, Room 531  
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SENATE  
STATE OF COLORADO  
DENVER

Ms. Patt Dorsey, Area Wildlife Manager  
Colorado Parks and Wildlife  
151 E. 16<sup>th</sup> Street  
Durango, CO 81301

6 February 2013

**RE: CARBON MOUNTAIN ACCESS THROUGH U.S. BUREAU OF RECLAMATION**

Dear Ms. Dorsey:

I understand that during the partial condemnation of Bodo State Wildlife Area (SWA) and later construction of the Animas-La Plata project, also known as Lake Nighthorse, Colorado Parks and Wildlife (CPW) lost its access to portions of the SWA, particularly the Carbon Mountain area. It is also my understanding that the U.S. Bureau of Reclamation is currently in the process of providing an access easement to CPW for administrative purposes such as weed spraying, habitat treatments and maintenance of Bodo SWA.

I appreciate CPW and the U.S. BOR working together and I offer my support for the proposed access to the Carbon Mountain portion of Bodo SWA.

Sincerely,

Senator Ellen Roberts  
Colorado Senate, District 6



Ms. Patt Dorsey, Area Wildlife Manager  
Colorado Parks and Wildlife  
151 E. 16<sup>th</sup> Street  
Durango, CO 81301

23 January 2013

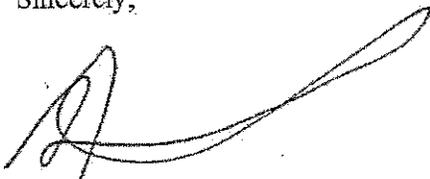
**RE: CARBON MOUNTAIN ACCESS THROUGH U.S. BUREAU OF RECLAMATION**

Dear Ms. Dorsey:

I wish to offer my support for the proposed access to the Carbon Mountain portion of Bodo State Wildlife Area through the U.S. Bureau of Reclamation land associated with the Animas-La Plata project, also known as Lake Nighthorse.

It is my understanding that subsequent to the construction of Lake Nighthorse CPW lost its access to Carbon Mountain, essentially locking CPW out of portions of CPW property. Access to Carbon Mountain for weed spraying, habitat treatments and general administration of Bodo SWA is important to CPW.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike McLachlan", with a long, sweeping flourish extending to the right.

Representative Mike McLachlan  
Colorado House of Representatives, House District 59