

Santa Fe Conservation Trust
TRAIL EASEMENT ACQUISITION POLICY
Policy Adopted On:
Updated:

INTRODUCTION

The Santa Fe Conservation Trust (SFCT) partners with our community to keep northern New Mexico's living lands and people flourishing together. We protect culturally and environmentally significant landscapes, ignite people's passion for nature and enable the continual regeneration of our healthy place.

The SFCT Board has identified the following issues and established the following criteria for selecting trail easement projects to be undertaken by SFCT. These criteria are intended to guide rather than limit the actions of SFCT. The Board retains discretion over project selection and will evaluate each trail project and proposal on its own merits after careful investigation of the trail easement and the potential public benefit. Staff will use this list to evaluate potential trail easement and help identify relevant conservation values and other practical issues on trail easement projects. Affirmative answers are desirable for each of the following questions.

1. Conservation Values

- a. Does the trail give the public access to nature, historic/cultural resources, scenic views, or open space? Yes ☐ No ☐
- b. Is there connectivity to other trails? Yes ☐ No ☐
 - i. If no, could connectivity be created? Yes ☐ No ☐
- c. Would the trail be recreational? Yes ☐ No ☐
- d. Would the trail serve a wide range of users? Yes ☐ No ☐
 - i. What user groups would it serve?
- e. Would the trail serve underserved user group(s)? Yes ☐ No ☐
 - i. What underserved group(s)?
- f. Would it provide/create a transportation route? Yes ☐ No ☐
 - i. Access to other trails
 - ii. Transportation to get places
- g. Are there any historical features of the trails that make it desirable? Yes ☐ No ☐
 - i. Historic rail beds?
 - ii. National historic trails?
 - iii. Historic roads (Rt 66?)
- h. Does it offer an opportunity for education, ie, could it be an interpretive trail? Yes ☐ No ☐
- i. Would the trail advance the goals of the GUSTO initiative? Yes ☐ No ☐
- j. Is the trail in an SFCT Focal Area? Yes ☐ No ☐

- i. If the larger property on which the trail is located is a good candidate for a conservation easement, encourage the landowner to grant a CE that includes public access instead of just a standalone trail easement.

2. Documentation Needed

- a. Is the property free of deed restrictions, covenants, liens, encumbrances, or other clouds on title that would make the trail untenable? Yes ☐ No ☐
- b. If there is mortgage on the property, is there a good chance it can be subordinated to the trail easement? Yes ☐ No ☐ NA ☐
 - i. Assess the risk of the trail's long term future if mortgage is not subordinated
 - ii. Subordination is mandatory if landowner is seeking tax benefits
- c. Is there a boundary survey of the property where the trail will be located? Yes ☐ No ☐
- d. Is the route of the trail clear and agreed-upon by the landowner and SFCT? Yes ☐ No ☐
- e. Can a survey of the trail route be obtained (preferred) OR can an unambiguous metes-and-bounds description be produced? Yes ☐ No ☐
- f. Can an archaeological review be completed before creating the trail? Yes ☐ No ☐

3. Physical Attributes

- a. Is the trail sustainable and compatible with the landscape (ie, it won't cause excessive erosion)? Yes ☐ No ☐
 - i. Describe type of trail (width, surface)
 - ii. Does it need to be ADA accessible?
 - iii. Will it include benches or shade structures? Who would pay for them?
- b. Does the trail direct the public away from archaeological sites to protect them? Yes ☐ No ☐
- c. Is the trail free of geographic features that would make the trail dangerous? Yes ☐ No ☐
- d. Do the adjacent parcels support use of the trail, rather than making the trail undesirable or isolated? Yes ☐ No ☐

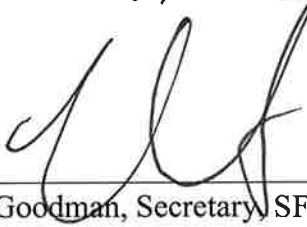
4. Feasibility:

- a. Can SFCT maintain the trail? Yes ☐ No ☐
 - i. What kind of maintenance is needed and how much would it cost?
 - ii. If SFCT can't maintain it, can another entity maintain it?
- b. In the case of a trail easement that is not yet legally accessible to the public (because a public trail or road connection has not been secured), will SFCT have access to the easement for monitoring? Yes ☐ No ☐
 - i. Monitoring access is mandatory for tax-deductible easements.

- c. Can SFCT find a source of funding for the acquisition costs and long-term stewardship cost of the trail? Yes ☐ No ☐
 - i. How much will SFCT need to raise to create the trail easement?
 - ii. How much will SFCT need to raise for stewardship of the trail easement?
- d. Is it part of an existing CE (so we'd be monitoring anyway)? Yes ☐ No ☐
 - i. If so, consider encouraging landowner to amend CE to grant public access, rather than layering a trail easement over the CE.
- e. Is the trail easement area, free of liability issues for SFCT (such as manmade structures)? Yes ☐ No ☐
- f. Are the landowner's desired rules and regulations around public access enforceable and reasonable? Yes ☐ No ☐
 - i. Who would enforce them?
- g. Is it likely that the trail easement can be transferred to a public entity like the City of Santa Fe, Santa Fe County, etc? Yes ☐ No ☐

The more "yes" answers a project receives, the stronger the case for project. All trail easement acquisitions must be approved by a majority vote of the Board of Directors.

Approved on the 25 day of July, 2023.



Brant Goodman, Secretary, SFCT