CHAPTER THREE
GOLD HILL TRAILS EDR/PAR PROCESS

THE APPROACH
Overview
Process Goals

In coordinating the mediation process, I aimed for an ideal outcome of mutual understanding and community building. Through the practice of EDR, I hoped to create an environment in which a "wise and stable" outcome would be possible. I expected that if the parties to the North Trail dispute (community members and landowners alike) talked together constructively, a stable outcome could result. "[T]he goal [of mediation] is a wise outcome reached … amicably" (Fisher and Ury, 1981: 13). I expected to begin the process by exploring individual and community needs. In this way, stakeholders in the community could potentially discover common interests and build upon those.

EDR and PAR both rely on community-centered research and mutual learning. I expected that the principled use of EDR and PAR would support the existing local initiative. An EDR/PAR process could result in sustainable cultural behavior that might not only resolve the current disputes, but also prevent future trail disputes.

When I realized factors relating to land tenure and financial inequity might contribute to intractability in resolving the North Trail Dispute, I reframed the dispute around conservation. I chose conservation for two reasons:

1. Conservation efforts had been claimed as important to the New Landowner by Seller's Agent. Seller's Agent also asserted that New Landowner sought the esteem of the community with regard to his conservation efforts.
2. In a community with the landscape characteristics of Gold Hill, trails are a link between civilization and wilderness. I expected that the EDR/PAR process would naturally uncover mutual interests relating to both community life and wilderness conservation.

I also understood that supporting healthy long-term community relationships would be an ideal outcome, but not a necessary one for resolving the North Trail dispute. Instead, the process could focus on working out an agreement that met distinct, individual needs. I foresaw that the parties could brainstorm a set of options that would work independently of any preconceived notions that mutual interests of community or ecology might exist.

Phase One

In Phase One, several forms of community involvement emerged simultaneously. When I became the Coordinator of the Trails Committee, I found myself attending to several processes at once. These were:

- Mobilizing the Trails Committee,
- Supporting the Mapping Project,
- Researching and writing the *Trails Mediation Guide*, and
- Preparing the Trails Mediation Workshop.

The EDR support of the existing community-based research had two goals. One was to actively channel aggressive posturing into a constructive tool for understanding trail issues; and, the other was to prepare a working document (Mediation Guide) on landowner interests and options for the Mediation Workshop. I expected that both the Workshop and the Mediation Guide would create a residual effect by building local capacity for collaboratively solving trail disputes and raise awareness about the role of community ecosystem stewardship.

Despite many efforts to respond to the interests and concerns of New Landowner, he did not appear at the Mediation Workshop and neither did Seller's Agent. Upon re-inviting and reminding Seller's Agent about the Workshop a few days before the event, he stated that his partner did not have

to engage the community in dialogue and that it was not "appropriate" for him, Seller's Agent, to come to the Mediation Workshop.

Much of the conversation during the Trails Mediation Workshop centered on the distinction between locals and those who reside outside the Gold Hill area. Distinguishing the quality of who is local has many twists in such an eclectic, primarily immigrant (to the area) community. Still, the impact of trail use by the local community on natural and social resources was repeatedly articulated as being less than that of having the general public using the local trails. In this case study, "locals" refers to those individuals who reside within the Gold Hill study area (see below). More discussion of the meaning of "local" is provided in the *Community Trails Mediation Guide* found in the Thesis appendix.

Phase Two

In Phase Two, I extended my search for incentives to negotiate. I searched more deeply and refined the specifics of the broad-based and individual incentives found in Phase One. This material became the second working edition of the *Trails Mediation Guide*. The second and subsequent versions also included options for resolution and legal incentives to encourage negotiation. I also investigated existing statutory and procedural incentives and disincentives for trail access.

I looked for case law that might support locals in their claims that the trail was a historic one and therefore closure was not legally permissible. I also discovered new case law and a recent state court re-interpretation of outdated laws (RS2477) that supported open access to historic trails. These trails would be open to all public uses including motorized or exploitation-based uses that neither the locals nor the New Landowner might desire. As a result of these potential conditions, the desire to avoid litigation might be strong enough to encourage New Landowner to participate.

I renewed my efforts to support the adoption of a common framework or model for understanding trail access. I envisioned a model that supported the harmonious recreational and residential use of the surrounding forest landscape by a local community. I had expected to find academic literature on related subjects, but did not, so I did a great deal of independent research on these topics. As a participant observer, I had first-hand experience with the role of trails in community life.

In my Phase Two action research, I explored the role of trails in ecosystem stewardship by non-resource dependent communities. I advanced the role of montane areas in conservation of the Southern Rockies Ecoregion as argued by conservation biologists. I also wrote an environmental history of the Gold Hill area to expand local awareness. I hoped to disseminate the knowledge of local women naturalists who had started nationally distributed herbal medicine businesses while residing in Gold Hill. I prepared new versions of the *Trails Mediation Guide* that deepen and coordinate knowledge of the surrounding forest environment beyond recreational appreciation.

Principles and Practice in the Gold Hill Case

Encouraging Reluctant Parties to the Table with PAR

In an EDR process, participatory action research may serve to remedy power imbalances and cultural misunderstandings. PAR may also inspire a range of options for agreement that would not have been discovered otherwise. PAR is also an opportunity to build local capacity to understand and resolve disputes. This section introduces the forms of PAR used in this EDR case. The section also briefly presents complementary forms of action research, such as social impact assessment and appreciative inquiry, that supported the Gold Hill Trails Mediation Approach.

PAR is a form of community empowerment. PAR actively seeks input from all stakeholders. It can level the playing field during a dispute by empowering knowledge formation. PAR centers on a philosophy of relying on and mobilizing those affected (not only the leaders, but everyone, non-professional, non-elite, local residents from a range of backgrounds and interests), no matter how disengaged they might usually be, to analyze information about potential courses of action.

Locals were seeking an opportunity to have their concerns addressed. The central challenge of the Gold Hill case, that an agreement is impossible if any stakeholder opts not to acknowledge the

legitimacy of differing perspectives and claims. The new landowner (New Landowner) of a segment of the North Trail did not openly acknowledge local claims. New Landowner did not appear to perceive that he might gain by participating. This initial reluctance appears to have been influenced by case law on land tenure and existing land protection regulations.

Until he might see the benefit of discussion, he continued not to participate. Under these conditions, PAR may have a residual effect. The results of the PAR effort may still serve to engage the New Landowner even now, two years after the research was completed. In addition, the opportunity for suspended judgment and a capacity-building approach to the situation can make room for integrating the New Landowner into the community in a way that might overcome his concerns and make him feel like a local too. A sense of belonging on his part could allow for an easy resolution of the conflict and a willingness to trust locals to be respectful and fair.

Participant Observation in Environmental Mediation

In coordinating the Gold Hill Trails mediation effort, I was a local. I had also previously led a long-range planning effort in Gold Hill in the early 1990's with the intention of preserving the community and the landscape. That effort involved PAR, but I was not yet able to name it as I was not formally familiar with the approach.

Being a local, the opportunities to transform the operational procedures of community decision-making were significant. Gold Hill has had problems in maintaining a safe environment for dialogue and many locals have disengaged from civic involvement (See Chapter 2). For instance, in a recent meeting with Boulder County's Land Use Director (1/11/06) on a non-trail related matter, he stated: "[proceed] if you can handle the verbal peer beatings behind the shed." This has been the reputation in Gold Hill and other Boulder County mountain communities (and I think this problem is probably still widespread).

Participant mediation offers the opportunity to sustain a mediation process. It also allows for adapting agreements to new information as it arises. As a resident of Gold Hill, I was also a participant/observer in terms of ethnographic research. This was an important foundation for doing the kind of enduring, relevant, grassroots work I have wanted to do. The case proved to be a good opportunity to test my theories with little additional funding (See also Chapter 4, Discussion).

Participant observation can bring little-known phenomena to light. Participant observation is an important resource in enhancing environmental policy. I came to the table interested in non-hierarchical, grassroots opportunities to transform the social landscape in support of ecological sustainability. That is my bias.

Social Impact Assessment

The National Environmental Protection Act of 1969 stipulates that an impact assessment must be completed prior to undertaking a project that might affect socio-cultural or environmental resources. NEPA regulations are implemented to measure environmental impacts with little regard to socio-cultural impacts. This failure to evaluate socio-cultural impacts results in failure to protect environmental resources, because the two sets of potential consequences are intertwined. Failure to measure socio-cultural impacts also undermines the quality of life of progressive generations by failing to define "progress."

Environment impact studies (EIS) are undertaken prior to highway construction, forest management actions, damn projects (to name only a few types of human endeavors that affect the environment). To compound a lack of socio-cultural assessment, many EIS studies are undertaken in a cursory manner by engineering firms that are likely to be awarded the construction contracts. An EIS is often a rudimentary formality rather than an authentic appraisal of impact.

Geisler terms the formulation of an a priori expectation of future events the ex-ante or "pre-project" approach. In his paper "Rethinking Social Impact Analysis" (1993), Geisler discounts theoretically-derived estimations of future outcomes and advances a more iterative model of social impact analysis (SIA) and decision-making. In his view, an iterative cycle of inquiry presumes understand-

ing only after empirical affirmation (post-facto). Consequently, the principal contribution of SIA to decision-making comes from the systematic monitoring of outcomes, followed by adapting management plans to accommodate the new information. Geisler refers to this as "continuous multi-stage SIA."

I expected to find the use of social impact assessment principles in engaging the Gold Hill EDR/PAR process extremely important in validating the claims of locals about trail use. Despite neutrality and public involvement focus, it seemed that interveners, like myself, could bring science to a social setting through the use of social impact assessment. Policy makers and administrators should all be trained in this approach. It would make a significant difference in improving the perspectives included in defining "progress."

Oral History as Participatory Action Research

In the Gold Hill research, oral history interviews were done with long-time residents of the area. They were not formal oral history in that they were not recorded and transcribed. Still, they were an important resource in terms of understanding local custom and environmental history of the area.

Oral history can be "a vehicle for common understanding" as a prelude to getting together (Howarth, 1998: 87). An example of the use of oral history for policy purposes can be found in the United Kingdom. "National and international awareness of green issues, the need for sustainable development and the direct needs of people–their quality of life–are all issues that directly and indirectly now have an influence on ecosystem planning issues. This can be found in post-war planning practice–the rise of conservation areas, sites of special scientific interest, areas of outstanding beauty and, of course, the establishment of National Parks" (Howarth, 1998: 63).

"Key types of recording … include photographs, sense of place, spatial mapping and soundscape architecture…. The fundamental recording element uses people's memories, and acknowledges their personal commitment to their community" (Howarth, 1998: 68). There are recordings about land management, drainage, flowers, trees, game, birds, and many other aspects of ecological life. People who can add important information about sites include local anglers, poachers, gardeners, naturalists, ornithologists, and visitors (Howarth, 1998: 73).

Participatory Learning and Action

Participatory Learning and Action (PLA) is the research stream from which I borrowed the most in supporting the participatory action research of the Gold Hill case. Participatory Learning and Action is a format that can effectively pool information in a short amount of time while allowing for group learning and interaction. PLA relies on active listening supported by visual displays of community information. Such displays support learning and choice-making within a community. The visual tools help people engage each other to understand complex information, and themselves in relation to that knowledge, while maintaining a collective course of discovery.

Many PLA principles also overlap with those of environmental mediation. In PLA, the facilitator sees members of community as partners. Research belongs to the people and place from which it was gathered; the goal is a sustainable outcome. It is useful to triangulate data source from multiple stakeholders in order to reach a sustainable outcome. Learning is adaptive, iterative and cyclical. The focus is on local cultural understanding and customs of use; and community choices are made by consensus. Finally, results will rely on comparisons of trail use through qualitative or story-based understandings rather than measurements of foot traffic, length, or cost of a particular trail. People have to get together to share information.

Participatory learning and action (PLA) involves locals in analyzing their own situation and providing direction for future action. The historical origins of PLA emerged from the work of Peace Corps volunteers and social anthropologists. Its innovation rests in a cultural orientation to action research. PLA specializes in gathering cultural information in a site-specific context for the purposes of shared decision-making.

In PLA, factors are compared rather than measured; learning is iterative; sources of information are triangulated against others; the focus of research is on local knowledge and perception; and the information gathered belongs to the people from whom it was collected in the place it was collected. The triangulation of information sources based on active stakeholder involvement is again parallel to mediation process. Much new work in the public arena rests on the importance of the active participation of all stakeholders.

PLA establishes social norms for effectively getting people together for mutual inquiry and learning. As applied to environmental mediation, PLA provides a container for learning and mutual inquiry. This container offers the opportunity to reframe the focus of the social exchange in terms of understanding rather than dispute.

Within the lexicon and practice of PLA, the key is to "hand over the stick" to local people. The pen is "the stick." The pen represents the capacity to describe, understand and analyze oneself. The pen is a powerful tool in the social construction of reality and a symbol for co-creating the future. If everyone has a pen, everyone has an opportunity to contribute to the process of mutual inquiry and decision-making. In PLA, words play a lesser role than drawings and flow charts that serve to capture multiple dimensions of reality (Chambers, 1991; Chambers, 1997; Sweetser, 1997; U.S. Peace Corps, 1996; Office to Combat Desertification and Drought and International Institute for Environment and Development, 1995).

Complementary tools include group interviews, focus groups, oral history, story-collecting and team contracts. The premise for the research is creating opportunities for local people to speak for themselves and to control the actual gathering of information. The representation of information is also unique. By physically modifying joint representations in a group setting, the idea is to balance and triangulate learning styles as well as sources of information. Rather than relying on the written word, charts and drawings help to expand understanding outside of preconceived notions and differing uses of particular words.

In a typical PLA process, dispute is not at the center of the exchange. Yet PLA can be a dispute-resolution tool. The Trails Workshop, Trails Group meetings, informal get-togethers are all ways in which information can be exchanged, understood and analyzed. PLA builds community understanding by fostering constructive communication patterns around expansive data sets that are presented in visual terms. PLA utilizes a set of visual tools that foster iterative learning in a social setting similar to the practice of adaptive management in ecological systems.

PLA encourages members of a community to be partners rather than subjects of a process. PLA has complementary goals with EDR in terms of supporting co-learning. In the Gold Hill case, many locals sought to engage a dialogue to understand the issues that surrounded the North Trail dispute. As in mediation, to avoid misinterpretation of results the researcher/facilitator does not sift out information for presentation to the group. Under ideal conditions, local people make the choices and do the analysis in real time. PLA helps people understand how they relate to each other as parts of the community puzzle. In this way, the community is more likely to reach sound decisions in the short and long run. In this case it was expected that the use of PLA could allow locals to examine and bring to the surface the meaning of such experiences as access to local wildland trails around Gold Hill.

Organizational Development and Appreciative Inquiry

Recently, anthropological research has informed many other research streams including organizational theory and sociology. The results of ethnographic research have been used to enhance worker productivity, but ethnography also can serve nobler causes. As applied in contemporary western organizations, ethnographic research explores the social construction of reality. It is the foundation of organizational change efforts that build trust and increase productivity, customer satisfaction and innovation.

In the Gold Hill Mediation effort, I also borrowed from appreciative inquiry. Appreciative inquiry is an organizational development theory and practice initially investigated and disseminated

in the 1980s (Cooperider and Srivastva, 1987). Appreciative inquiry relies on a set of principles that includes making the social construction of reality explicit. Appreciative inquiry emerged as a form of action research that dwells on assets in a social setting, rather than on deficits, in terms of co-creating the future. Appreciative inquiry focuses on appreciating what is working well by engaging people in telling unequivocally positive recollections of experiences in a particular social setting.

Appreciative inquiry now has almost twenty years of use in organizational development. Appreciative inquiry is becoming more and more familiar to conflict-resolution and collaborative process practitioners (per various persons I spoke with at Institute for Environmental Conflict Resolution (ECR) conference in May 2005 in Tucson).

In building upon common assets and interests, appreciative inquiry is a marvelous way to strengthen community. Appreciative inquiry focuses on the things that work rather than on identifying and resolving problems. Practitioners of appreciative inquiry model a particular way of looking at the world. For instance, what one is looking at responds to the way one is looking at it. Or for example, shooting down a river on a kayak, one looks at the water rather than the rocks. A painting is critiqued on the basis of its authentic and unique artist-based merits and qualities, so that the artist is reinforced and expands in that direction. Similarly, community choice-making can blossom within the presumption of goodness and unique value, rather than stagnate and even regress in the presumption that something exogenous to itself is better even it it creates dispute.

Appreciative inquiry supports mediation since "the goal [of mediation] is a wise outcome reached … amicably" (Fisher and Ury, 1981: 13). Positive affect and working with what works support amicable exchanges that can lead to transforming conflict. In Phase One, the Trails Committee established under my guidance a mission that relies on the appreciative frame of "building relationships around trails."

OTHER TRAIL DISPUTES IN THE GOLD HILL AREA

The inclusion of all the trails in the area served to broaden involvement and create opportunities for learning about options that might work on the North Trail. In Trails Committee meetings, attendees brought up things that worked and things that didn't on other Gold Hill trails. The discussions explored the parallels and differences of each trail and respective disputes, if any. The insights from these discussions contributed to the mediation process and were included in the Mediation Workshop version of the *Trails Mediation Guide*.

The mediation effort targeted the formation of trail specific agreements between property owners and the community at large. A less than ideal outcome would be agreements between landowners with trails and particular individuals. This type of arrangement would likely not be sustainable and could create its own tensions among locals.

In order to maintain a clear boundary within which Gold Hill trails disputes would be addressed, the Trails Committee delineated a study area. The study area and the other Gold Hill trail systems are described next. This is followed by a presentation of the interests and incentives for dialogue regarding each trail system in the study area.

The PAR Study Area

Gold Hill is located on a ridge between Left Hand Creek and Four Mile Creek. Both streams have carved canyons in the Rocky Mountain foothills and flow eastward to the Great Plains. The study area runs seven miles east to west and three miles north to south. A map is provided in the appendix.

From north to south, the terrain of the study area slopes steeply. From Left Hand Creek to the Gold Hill town site, the terrain gains 1000 feet in elevation in less than a mile. From the town site, the terrain slopes southward, downhill to Four Mile Creek with approximately the same elevation loss but over a four mile distance. The study area includes Big Horn Mountain to the east and the "Meadows" to the west. The terrain between the two points has relatively little elevation gain.

The land is held privately or under Boulder County, U.S. Forest Service, U.S. Bureau of Land Management (BLM) jurisdiction. In the past few years, the BLM has attempted to divest ownership of small parcels located in between mining claims. The eastern end of the study area and beyond (450 acres total) is under negotiation for acquisition by Boulder County from the BLM under the Recreation & Public Purposes Act (RPPA).

The Gold Hill Trail Systems

Locals have historically accessed the surrounding landscape via four primary trail systems. The viewshed from these trails extends from the plains of eastern Colorado to the majestic western horizon line of the Continental Divide, twelve miles away. Longs Peak and the Indian Peaks rise above an extensive forested landscape.

North Trail System

The North Trail parallels Left Hand Creek from the Gold Hill town site going west. The trail has many spurs on a north-facing slope of mixed pine, spruce, fir and aspen forest, extending three miles to the meadows and ponds near the Switzerland Trail. The North Trail ends at the Switzerland Trail, the bed of an old railroad from Boulder to Ward. The trail runs primarily on Forest Service lands, the lands of an ashram and nearer Gold Hill, on private land and mining claims.

"Chinamen's Ditch" parallels the North Trail to the meadows. Chinamen's ditch was constructed for sluicing operations by Chinese prospectors and brought water over six miles to the town site from Left Hand Creek. It is a popular cross-country ski route in the winter. There are few homes in this area. The ashram is a large complex west of Gold Hill and some of its new fencing has closed Chinamen's Ditch to easy use for cross-country skiing. The North Trail includes other trails that meet Left Hand Creek from the top of the ridge.

East Trails Area

The East Trails area includes trails that remain from the original Gold Hill town site. The original town site above Horsfal mine was established in 1859. The Horsfal mine was the largest gold producer in the area. After a wildfire burned the original site, the present location of Gold Hill was platted in 1878. The views from the original town site, which is on a small plateau, are expansive.

The East Trail joins the North Trail at Lickskillet Road. The Horsfal Loop is a favorite local hike in the East Trails Area from Boulder Street, by way of the Gold Hill Mill towards the "ball field," and back towards the town site. This latter segment is very scenic with views of Longs Peak. The Gold Hill Mill is generally inactive, but when active, the mill processes mined ores from Gold Hill and other areas in the mining district. The ball field or "Horsfal Flats" is a local favorite for softball.

Other trails in this East Trails area access the top of Big Horn Mountain and the "Crow's Nest," from the Horsfal flats south and down to Summerville, and from the town site down Lickskillet Gulch to Left Hand Creek. The "Crow's Nest" offers 360 degree views at the summit of Big Horn Mountain. Trail Runner/Landlord's Wife owns the land at the summit of Big Horn including the segment of trail that reaches the Crow's Nest. There is only one home on Big Horn Mountain. Two old miner's cabins exist near the Gold Mill.

The northern-most part of the East Trails area is under the protection of a conservation easement held by Boulder County Open Space. Another portion could be acquired by Boulder County through the RPPA transfer.

South Trail Area

The South Trail parallels the North Trail but on the southern side of the ridge. It is very near the Gold Hill Road and runs westward to the land of Consultant to China. This land is across the Gold Hill Road from Morning Sun. Both properties have multiple residents in distinct housing units.

Consultant to China's land has a network of trails adjacent to the Mt. Alto complex. Mt. Alto is a mile south on the Switzerland Trail from its junction with North Trail. Mt. Alto has been a popular picnic spot for over a century.

A portion of the South Trail system also is an old mining road from the Colorado Mountain Ranch over the Wolcott property, on the ridge facing Sugarloaf Mountain. A spur called the Moccasin Trail connects the South Trail to the "Subdivision." This is a favorite loop for town-site residents. This trail also traverses the "Ranch," the other large complex west of Gold Hill that, like the Ashram, has several dwellings and work buildings grouped under common ownership. The Ranch is a former dude camp which has been converted into a children's summer camp.

Emerson Gulch Area

The Emerson Gulch trail system is south of the "Subdivision." Emerson Gulch was carved by a creek that flows into Four Mile Canyon. The area offers a wonderful southern exposure and is used by local trail runners. The trail includes a road south of the "Subdivision," Rim Road, and a highly contested road down Emerson Gulch to reach Four Mile Creek. The eastern portion of this road appears on the Latitude 40 map entitled "Boulder County Mountain Bike Map." There are many newer homes in this area and development is continuing.

The Other Gold Hill Trail Disputes

The following section describes the principal issues in each dispute preceded by a chronological description of incidents or concerns. Similar interests were reflected in each of the trail areas in which disputes occurred. Concerns of private property owners included private property rights, development rights, land values, liability risk, fire risk, maintenance of trails, weed management, wildlife protection, respect and sense of privacy.

Local trail use advocates were concerned with sense of community (neighborliness v. fear), local trails access and type of access. Locals want to be able to ride horses, bikes or walk their dogs. At the same time, they did not like the high-speed mountain cruisers that came through on the local trails and the downhill bicyclist impacts on tranquility and the condition of the trails. Neither local trail use advocates nor landowners wanted to see motorized vehicular use on the local trails.

Disputes in the East Trail System

In 2002 and 2003, a downhill racing operation brought young men from Denver to Gold Hill in order to practice. The bikes do not have pedals for going uphill. As a result, vans of cyclists would loop through the eastern end of Gold Hill on a low volume road. According to Stain glass/East Trails Advocate, on some days the van would pass through carrying cyclists to the top of Horsfal over twenty times, easily doubling usual traffic. This had bothered Stain glass/East Trails Advocate who works at home and also used to enjoy hiking the area. He had the previous year brought the problem to the County's attention to no avail. There did not appear to be an evident solution. As noted in the Introduction, he attended an early trails meeting and that is why the East Trails issue was included in Trails Committee's research and mediation effort.

Others were also bothered by use by downhill cyclists. When they were in town, no one could use the trails for fear of being run over by the cyclists. The non-local bicyclists practicing downhill racing also apparently damaged trails within the recent County acquisitions north of Sunshine. They were then discouraged from use by Boulder County and were given permission to ride on proposed County Open Space currently owned by a well-established uranium miner from Utah, "Gold Miner." There is uranium in the substrate of Gold Hill. Gold Miner opened a gold ore processing mill at the western end of the former Gold Hill town site. The East Trails loop runs on a small dirt road adjacent to the mill.

In January 2003, nails were found in the parking areas at the undeveloped trails heads above Horsfal. Gold Miner told me at the Trails Mediation Workshop that he had someone clean up the

nails. He also informed me that he had told the downhill bikers that they could park in the Gold Mill's parking area.

An individual also allegedly altered one of the downhill racer's jump ramps injuring one cyclist. A letter posted by Shopkeeper repeated the accusation by the downhill racers. Shopkeeper benefits commercially from the recreational use by bicyclists in the Gold Hill area. They often stop in for refreshments at the Gold Hill General Store. Shopkeeper is also friends with Gold Miner.

Dedicated Trails Volunteer, who is also a first responder with the Volunteer Fire Department, sought to know how the cyclists handle medical emergencies for their high risk activities. She mentioned this to me and at a Fire Department Meeting in the spring of 2003. Late in the summer of 2003, another severe injury among the downhill cyclists required airlift. Subsequently, Gold Miner closed the area to use. Also that summer, Boulder County installed a split-tie fence barring access to the meandering roadways entering the area. Boulder County now also bans downhill racing on all county open space. There do not appear to be any remaining problems in the East Trails area.

The interests of the parties in the East Trail area centered on safety, privacy, intrusion, and the desire to recreate. The incentives to negotiate were nonexistent for the bikers as they had permission to use the land. Only when the level of risk and danger became apparent to Gold Miner was the downhill cycling stopped.

Some locals enjoy hiking one of the East Trail loops every day. In the past few years, more and more people have been driving into one area and camping overnight. I even found some campers with a camp fire during the 2003 fire-ban season, and pain- ball youth in the old cemetery area. Others reported that a jeep had been driven down the trail and basically bull-dozed the top of the quaint narrow trail.

Another twist in the East Trails story came with a Boulder County proposal to acquire land managed by the Bureau of Land Management (BLM). The BLM sought to divest itself of 453 acres of land with a tract of overlap with the East Trails area. The County hoped to connect open space areas at lower elevations with Gold Hill via a new trail alignment. They also wanted to encourage car tours of the old town site and the Big Horn mountain viewpoints. A parking area was planned at the top of Horsfal very near a favorite local viewpoint of the Continental Divide.

They also planned to include existing East Trail loops in their new public-access trail alignments. Many local people were concerned about the additional influx of recreationalists into the area and a threat to the remaining wildland trail networks. As I was in the process of mediating trail disputes, I was also concerned that the County public bike-trail proposal would impact local landowners with trails. Mountain bikers would be drawn to use the backcountry trails; this could further disrupt local customs of trail use.

Concerns along the South Trail

This trail is primarily on private property with one large stretch owned by an absentee landowner. The South Trail has significant erosion on steep grades due primarily to heavy horse travel. The Ranch uses this trail every day for their summer camp horseback riding activity. The Ranch maintains portions of the south trail, but they remain full of loose rock in the steep grades and are deeply carved or muddy in low-lying areas.

Consultant to China-Husband informed me that people often wander off the Switzerland Trail and onto his property. He likes the fact that locals hike these trails as well, because he feels more comfortable knowing they are also there. Mount Alto has been the site of heavy binge-drinking by young people from Boulder for several decades. Lately, the parties are louder due to the use of boom boxes. The Volunteer Fire Department must often respond to emergencies because of this use among other less-substance induced mishaps along the Switzerland Trail.

A spur of the South trail system was previously a public road that has been closed to the general public with purchase by a new landowner, "Long Distance Runner/Hospice Worker." She allows "considerate & respectful use" of the road for pedestrians only. She has posted signs and those who

used to ride through with bikes now walk them and are respectful of her desire for quiet, no conversation on the trail. She has not met with lingering opposition.

Landlord/Best Friend also owns land along the Moccasin Trail and has kept the trail open with the advisory that mountain bikes not be used on the trail. Landlord Best Friend is also referred to as Morning Sun Owner/Moccasin Trail Segment Owner. Locals and non locals had been using the scenic trail as part of a loop through Gold Hill town site. He also worked with Summer Camp Ranch Owner to address the horse erosion problems. Ranch Owner had a crew maintaining the trail regularly.

The South Trail was never closed to local use, although severe erosion and trail braiding exist because of the trail alignment on one steep grade and heavy summer horse travel. The South Trail does not engender a lingering dispute at this time, only a lingering problem of erosion and public use of a trail over public land. Concerns might arise if the stretch of trail owned by absentee landowners were ever to be closed.

Litigation along Emerson Gulch and Rim Road

As for the trail system running down Emerson Gulch, a landowner has closed off a road to non-local access. He is an environmental engineer, "EG Environmental Engineer.". EG Environmental Engineer has spoken with Trail Runner /Wife of Landlord about concerns in the Rim Road area. She also likes to run in that area and wondered about the closure. The primary concern was non-local bicycle traffic and construction vehicles accessing the housing construction on an alleged new portion of road. There were also concerns about theft on Rim Road and a lack of facilities for trail users which affected the quality of his land. He also reviewed an early version of the *Trails Mediation Guide*.

A portion of the Emerson Gulch Trail is under litigation to preserve the right to develop on lands accessed by the road despite a steep grade. An attorney for the Land Use Coalition is intervening for the realtor who would like to see the road opened in order to ensure development on a property despite the steep terrain. At this time, the road is accessible for local pedestrian traffic.

The interests of the parties living along Emerson Gulch centered on privacy and lack of intrusion. Those who already lived along the Gulch did not want to see their lifestyle impacted by newcomers. Through discussion by a member of the Trails Committee with EGE Engineer, it was learned that Emersion Gulch is open to local use.

PHASE ONE – SUPPORTING ENVIRONMENTAL MEDIATION WITH PARTICIPATORY ACTION RESEARCH

Introduction to the Activities

This section covers Phase One of Gold Hill's trail mediation effort. Phase One began in October 2002 and ended in April 2003. During Phase One, I coordinated simultaneous community activities aimed at resolving the North Trail dispute. The purpose of the Trails Committee was "to build relationships around trails in Gold Hill." The purpose of the "Trails Mediation Guide" was to share knowledge gained in the activities of the Trails Committee with the Gold Hill Community at large. The purpose of the mapping project was to better understand where the North Trail crossed private or public land and more clearly to discuss issues regarding each trail. The purpose of the Trails Mediation Workshop was to create a forum for dialogue, community building and learning about local trails around Gold Hill. The workshop could also be an entertaining opportunity to "build relationships."

The Trails Committee

Purpose

Claims-making about incidents on the North Trail led to the formation of the Gold Hill Trails Committee under the auspices of the Gold Hill Town Meeting, Inc. Naturally, as most communities, Gold Hill itself is comprised of various subgroups which hold together through bonds of common in-

terest, lifestyle and identity. The community did not initially tend one way or the other in terms of the North Trail dispute. Still, many locals sought to understand the concerns of the various stakeholders and how to remedy it. The Gold Hill Trail Committee served as a foundation for exploring the local trails issue and to de-escalate dispute.

The Trails Committee set itself the task of exploring solutions to the dispute. The members of the Trails Committee worked on the Mapping Project, the *Trails Mediation Guide* and the Mediation Workshop.

The Trails Committee adopted the following goals:

- Depolarize existing trails disputes by channeling energy constructively;
- Prepare the terrain for working out individual agreements.
- Respond to trail concerns by conducting action research on complex problems;
- Share that understanding with the Gold Hill community and further afield;
- Arrive at solutions among ourselves, face to face and in civil dialogue; and
- Construct the groundwork necessary to avoid future disputes.

The Trails Group held meetings in the community room of the Fire Barn during the months of November 2002 through March 2003. Once it was determined that a Trails Mediation Workshop ("Trails Workshop") might serve to build relationships around trails and possibly resolve the dispute, the Trails Committee focused on preparing that activity. Those preparations are presented under The Mediation Workshop.

The Gold Hill Trail's Committee ("Trails Group") became the adopted name of the Committee. I suggested this name change in order to create a less formal dynamic or pretense in Gold Hill Town activities. Committee implied an officialdom that distanced certain people in the community who seldom engage in civic activities, but that I hoped would get involved because they had trail concerns.

Participation

Prior to the workshops in March 2003, the Trails Group participated in conducting research, interviews, and discussed findings, strategized, wrote and edited materials, and prepared data displays. Trails Group roles also included mapmaker, networker, keeper of the log of trail incidents, East Trails contact, new member contact, liaison for the weed committee, and researcher. Research was about trails history, legal research and trail maintenance.

Early on, Trail Runner/Landlord's Wife was the principal investigator into landowner interests and legal matters. She had the same well-known, real estate attorney as New Landowner, and that attorney had represented her in the Big Horn Old Wagon Road Case. She was able to inform the group that according to her attorney ("Real Estate Attorney"), the best protection for liability risk was regular property or homeowner's insurance. In a later conversation I had with Real Estate Attorney on the legal needs of landowners, I asked if he might advise us at the Trails Mediation Workshop. Of course, he recused himself, but recommended an attorney whose specialization is in environmental matters ("Environmental Attorney"). This attorney attended the Trails Workshop for a nominal honorarium.

Another woman, "School Mom/Economist," also helped considerably with logistical work until a threat of closure of the local elementary school had her busy disproving fallacious calculations of cost per pupil at this the oldest, still operational school in Colorado. The school district thought that class size did not meet requirements for efficient use of tax dollars. The school remains open. Prior to her involvement in the school closure, she had offered to take some of the burden of logistics for the Trails Committee from me so that I could focus on research and the mediation process. It was a setback when she had to shift her attentions in February 2003.

My Role

As the trails committee coordinator, I have sought to act with "operational neutrality" (Doyle and Strauss, 1976: 117), despite my residency in Gold Hill. My bias was in support of mediation as a

possible route to resolution rather than leaving the situation unresolved. In the few months prior to the Trails Mediation Workshop, I worked full-time keeping the Trails Group energized and on track while also researching issues relating to trail use around Gold Hill.

In coordinating the Trails Committee, I prepared and facilitated meetings that aimed at accomplishing three tasks:

- Sustaining dialogue and building understanding;
- Understanding the parameters of the conflict and options for mutual gain; and
- Understanding the community, the trails and the ecosystem.

In Task One, I focused on preparations for the mediation workshop and writing the *Trails Mediation Guide*. I tried to keep the level of involvement high and made signs for our community bulletin board at the Gold Hill Store. In terms of Task two, understanding the parameters of the conflict, I undertook mediation activities like stakeholder interviews, keeping an incident log, sorting out the issues, interviewing experts on trail-related topics, maintaining a feedback log to ensure operational neutrality in my work; and gathering brochures, reports and other studies on trails.

The details of Task Three are provided in the section on the Trails Mediation Workshop. Two charts summarize my trails mediation process activities and are provided in the appendix:

- To Do list (February 10, 2003)
- Data Collection Activities (leading up to and during the Trails Workshop).

The facilitation of the Trails Committee Meetings and the Trails Mediation Workshop were opportunities for me to practice. I conceived of these information-gathering moments as informal spaces for reflections to emerge. My overarching goal was to create an environment for spontaneity in order to deepen the creative potential to see what is without preconceived filters. I thought that this approach might be effective in resolving complex issues such as local trail systems disputes.

County Funding

On January 6, 2003 I requested, by letter, support from the Boulder County Commissioners in order to legitimize and fund the Gold Hill mediation process. I subsequently attended a business meeting of the Boulder Board of County Commissioners to present the proposal to mediate a set of disputes around Gold Hill. They awarded a $500 contract that became the primary source of materials funding for the Trails Workshop and *Trails Mediation Guide*. The 2003 county contract stipulated funding be used to, "Facilitate the de-escalation and resolution of disputes and build consensus in the Gold Hill community on local trails issues by holding two community workshops in March or April, by researching trails related issues, and by creating a supportive environment for shared communication on local trails matters." The funds were paid to the Gold Hill Town Meeting, Inc. and held under the Trails Committee account. The Trails Committee budget from April 9, 2003 is provided in the appendix as Exhibit 2. During this time, I also requested a designated contact at the County once we obtained a contract. My designated contact was the Boulder County Land Use Director.

Trails Group Meetings and Events

Two meetings were held before I became coordinator of the Trails Group. It was in these meetings that the thrust of the effort was set for building understanding and trust to resolve the dispute on the North Trail.

Trails group members completed most of the research prior to December of 2002. In January, the focus shifted to designing the mediation workshop and completing the research required to support well-informed dialogue. During this time I tried to inculcate norms of neutrality within the group and any continuing in the research.

The main group activities prior to the mediation workshop were trails meetings, town meetings, and the teen's party (described under Trails Mediation Workshop). I facilitated seven Trails Group meetings on October 29, November 5, November 18, and December 16, 2002, and on January 6, January 20, and February 3, 2003. I also held ad-hoc meetings on teen outreach, planning and facilitation training.

October 2002 to January 2003

The October Trails Group meetings addressed landowner options and reviewed the local maps. We talked about the time commitment that might be required and the different activities that members might want to tackle. We also set up a timeline which included a schedule of bi-weekly meetings. The idea of holding a forum for dialogue emerged during this time period.

The November meetings served to define the content we wanted for the *Mediation Guide* (initially called a "handbook"). In these meetings, people volunteered to handle a range of activities including funding, research on trail maintenance, history, legalities, landowner interests, invasive weed management, trails etiquette, and conservation. Eleven people were willing to sign up specifically for these activities with some overlap. Other activities were also defined that included providing a resource on trail maintenance to local landowners. We also delineated the study area as we learned more about the other trail disputes in Gold Hill.

We discussed a bypass option for resolving the North Trail dispute. Trails Group members thought this was a great idea, but were hesitant to relinquish the opportunity to use the Meadows portion of the North Trail.

The December meeting was an energized working meeting in which attendees presented the fruit of their labors. Trail Runner/Landlord's Wife presented information on insurance and liability issues. Homeowner's insurance was a sufficient protection for landowners with trails.

Dedicated Trails Volunteer presented her work on the North Trail. On the aerial photo from 1978, the alignment of the North Trail and tributary trails was quite evident. Trails showed against the lodgepole pines of the northern slope of the Gold Hill ridge. She also indicated that she planned to start plotting the trails in greater detail by using a handheld GPS device.

Catalyst/Neighbor presented historic maps he had found in archives in Denver and the University of Colorado. We also prepared a phone and email tree for distribution of information. We set dates of March 8 and 15, 2003 for the "Dialogues," as the Trails Mediation Workshop was then called. For the sake of consistency and clarity, I will continue to refer to this event as the Trails Mediation Workshop.

In January, I selected the elementary school for the Trails Workshop, because people in town have happy memories in this facility and it is large enough to accommodate the PLA displays I had planned. The Gold Hill School is the site of many wonderful, fun events in town like the school plays and of the annual Fourth of July picnic.

In January's Trails Group meetings, I presented my desire to make my involvement part of my thesis. I also tried to find out who would be able to research the material for the *Trails Mediation Guide*, besides myself and Trail Runner/Landlord's Wife. I also suggested we change the name because "dialogue" might be too forceful in terms forcing resolution and that "Open house" seemed a more suitable expression for the friendly atmosphere we sought to create.

This is also the meeting in which I announced that the County Commissioners would be able to fund the project. Members reported on trail issues that they had investigated all four trail systems. I also introduced the idea that I hoped we could involve local teens by hosting a "party" on environmental and nature themes. I saw it as important to draw often-alienated teens into something potentially meaningful to them and the community. A teen's activity was set for mid-February.

A Hectic February 2003

In February, the workload increased substantially. The production of the large map displays for the Trails Workshop was underway. This took a great deal of my time to coordinate all those involved with GPS work, the uploading and cleanup of the data, and the actual plotting of the maps.

At the February 3 meeting, Catalyst reported on his trails research. School Mom/Economist reported on her historical research at the Carnegie Library for local history in Boulder. She had also done some research into grant possibilities for the trails group. If the school issue had not emerged,

she would have written a few grant proposals. She believed grant money was available for a historic trails preservation effort.

At the February 3 meeting, we also discussed in great detail the North Trail Bypass, and it was decided to show it on the Trail Workshop Display maps. We also reviewed any gaps in what still needed to be researched prior to the Trails Mediation Workshop. I also asked for feedback on how things were working in terms of buy-in, interests of members, and the general atmosphere of the Trails Group's work. I was disconcerted to learn that I was going to need to consolidate the existing research for the Trails Workshop and the *Trails Mediation Guide* alone.

In February, I had trouble with the location of the workshop in the elementary school because of an insurance issue. The treasurer is usually responsible for these matters, but since I had been the treasurer before him and had trained him in what I had done to get records cleaned up, he asked me to call the insurer. This was an added burden I did not want. Unfortunately, the Gold Hill Town Meeting's insurance coverage was inadequate for the Workshop and for an array of properties held by the Town Meeting. So it appeared that the cost of insurance for the Town Meeting was going to increase.

I also had a hard time getting funding from the Town Meeting to sustain the effort after the Workshop. The perception was that $500 was adequate and no more should be allocated. Former Fire Chief was the principal opponent. I worked actively to encourage Trails Group members to attend the February 10, 2003 Town Meeting. By the time of the meeting, the insurance issue had been resolved with a policy revision and the expense was less than expected.

After much mobilization, several Trails Group members did make it for the vote on additional funding. This is important because often very few people attend the Town Meeting, so a few extra bodies makes a big difference in swinging the vote. I also enlisted the support of two long time Gold Hill residents. One was a spiritual leader in the community who provided ceremony in our local "kiva" chapel. She has always been civically active in historical preservation. She used to own the Gold Hill General Store when it was a co-op and health food store. She will be referred to "Nature Priestess."

The other woman is an administrator in victim advocacy for the Boulder City Police Department. She was previously the director of the Boulder Homeless Shelter. She grew up in Gold Hill and attends ceremonies with Nature Priestess that I also attend. She will be referred to as "Gold Hill Native/Professional." She is the only Gold Hill native to have held professional positions of public responsibility. She is well-versed in non-violent communication. Their attendance plus the turnout of others resulted in the funding being awarded.

In February, I organized the teen's party. I found myself working with Engineer/Mountain Biker's Wife on this project. She hosted the party on February 16. Her nanny, who also worked at the Gold Hill Store, offered to coordinate the event. She was planning to go into teaching and thought it would useful experience. Unfortunately, she preferred partying to maintaining a steady commitment. She bowed out when some friends in a very well-known national band came through town on the same weekend. This was unfortunate because she had good rapport with many local teens who hung out at the Store after school. In the end, I did most of the coordinating for this event. I ordered environmental movies from Bull Frog who strongly encouraged the effort. They offered a discount. Gold Hill Store Cook prepared a wonderful buffet. The event was not well attended, despite considerable effort on my part.

Another interesting twist to the dispute resolution process also occurred in February. Boulder County Open Space had planned to incorporate an historical road tour through Gold Hill as part of their Recreation and Public Purposes Act (R&PPA) proposal for the East Trails. I worked closely with their trails planner on alignment issues for proposed new trails. The County had planned to have connectors for lower elevation trails come up to the Horsfal plateau. I was concerned that this would impact local use considerably, compounding the high existing volume of use that had initially prompted trail closure. I corresponded with County trails planner who was a trained geographer, because we were also trying to get a data set for the GPS maps with which he was able to assist.

During this month, I also worked to identify local, volunteer facilitators for the Trails Workshop. I wanted additional people to facilitate breakout sessions which I called "discussion circles." The local elementary school teacher was one facilitator I selected, but she was unable to participate at the very end. ("School Teacher"). A well-traveled psychotherapist was another ("Expatriate Trainer"). Expatriate Trainer had a strong background in cultural studies and was familiar with leading groups. She had had discussions with New Landowner and I hoped that this might create a sense of safety for his attendance. She was also unable to participate at the last minute, because her daughter came in for a visit from Thailand.

A non-profit organizer with much charisma was my co-facilitator, ("Charismatic Group Leader"). He was the husband of Gold Hill Native/Professional. He had founded Play for Peace which was recognized on E-Town that following year. At the time of the workshops, he was the director of a non-profit group that worked with disadvantaged youth in Denver after school and on weekends. He was adept at ice-breakers in large groups, and in non-violent communication.

I had another person to help with the production of the handbook, but she was a school mom. When the school closure issue heated up, she could not help any more on the trails effort. I did most of the final preparations on my own, except I did get help with calling everyone on the Gold Hill Phone List. Four people, including all three school moms, called over two hundred households before the end of February.

Other Dispute Resolution and PAR Activities

The Incident Log, the Wilderness Log and the Plant Inventory

In preparation for the Trails Mediation Workshop, I thought it would be useful to keep track of wildlife sightings and of trail incidents. We made a log for the Gold Hill Store on wildlife sightings. This was followed up by the attendance of a Colorado Division of Wildlife District Ranger at the Trails Mediation Workshop. A log remains in the Gold Hill Store for sightings of bear, mountain lion and other large mammals.

I also wanted to engage our two local naturalists in a creating a tracking list for Gold Hill. I distributed a plant inventory based on the Center for Native Species database for the elevations of the Gold Hill Study Area. School Teacher, Kansas Native and another local naturalist reviewed the lists and added their observation records. I hope to be able to identify rare species on our Trails Mediation Workshop display maps.

The Gold Hill Incident Log kept track of developments on the North Trail and the East Trails. Stain Glass/East Trails Advocate prepared the log sheets and kept the ledger until the Trails Mediation Workshop. These incidents and others were monitored for general knowledge and learning. The things that worked to resolve concerns and incidents were also to be noted. By the time the Trails Workshop occurred, Stain Glass/East Trails Advocate had also bowed out. Resolution on the East Trails was occurring with Boulder County assistance. Without his completion of the log, I've worked from memory to recollect the descriptions of trail incidents.

The Elementary School: Wildlife Awareness, History and the East Trails

Along with encouraging teen involvement, I also wanted to link the school children to the Trails Mediation effort. I thought this might support the process by reaching the parents of children. School Mom/Economist and I had discussed including the elementary school children in the trails mediation project. Gold Hill School children are taught conflict resolution in their morning circle time.

New Landowner had donated a sizable sum of money to the school (a possible offset for county taxes he would not be paying because of the agricultural designation on his land). I was concerned that as a result, school parents might not be open to the potential concerns of the North Trail dispute and the loss of use of Hansen's Pond, which had been a favorite school outing place.

In January 2003, the school children were beginning an earth studies cycle. I encouraged School Teacher to tie the school children to the participatory action research we were undertaking. I

let her know that we needed to learn more about local species and what might exist in the montane forest landscape of Gold Hill. As a result, School Teacher assigned a poster-making project for the kids in which they researched local species, drew pictures of the species and wrote descriptions of each. I went to the school a couple of times to help with the project in February.

I also enlisted parents as child-care providers to ensure activities at the Workshops for the school children. Trail Runner/Landlord's Wife who was also a school mom wanted to coordinate this effort. She enlisted the services of the Gold Hill after-school care provider to prepare activities for preschoolers and the younger elementary kids at the Workshops. She sought for the children's activities to be trust-building ones. She has a background in psychotherapy and related strongly to ideas of trust and safe environments. I saw no reason to object.

In keeping with the theme of building trust, she wanted to enact earth connections through making flags with symbols of protecting nature and protecting people. Trail Runner/Landlord's Wife led a couple of children's art activities after school. Flags flew at the entrance on the day of the workshops. They resembled Tibetan prayer flags which some locals put around their houses. She also helped the children decorate a huge donation box for the day of the workshops as a fundraising activity.

In discussion of this with School Mom/Economist, another initiative that helped to shape the community had to do with the threatened school closure. School Mom/Economist knew about my interest in Gold Hill history for the mediation effort. Putting the "save the Gold Hill School" and the trails mediation efforts together, she decided to present the school as a living school district resource on Boulder County's history. She dreamed up a tour of Gold Hill led by local students using a guidebook that they would create. School Mom/Economist reported in the February 3, 2003 meeting of the Trails Committee:

> "The Gold Hill School PTO had a very positive response to an interpretive trail going in the East Trails area. Interpretive signage would address ecosystem and history of Gold Hill/Sunshine. In the interim as land transfers continue in the East Trails Area, I suggest an interpretive guide for half hour walks on existing public land and byways in the East Trails Area. I would like to make sure we have maps and activities at the Workshop to cover this East Trail topic."

The Gold Hill School stayed open and its role as a living history resource was recognized by the Boulder Valley School District. In 2004 and on April 28, 2005, Gold Hill held costumed "Living History Days for bus loads of Boulder Valley school children. The Gold Hill Museum was open and Local Historian guided tours of the Museum for the school kids. She has very fond memories of that day and has posted photographs of the event in the museum.

The Mapping Project

Primary Purpose

Maps are an important tool in community planning and ecosystem management. The Trails Group wanted to have display maps for our discussions in the Trails Committee and for the Mediation Workshop. Before I became involved, Dedicated Trails Volunteer initiated the mapping of local trails using aerial and USGS topographic maps.

The purpose of the mapping project was to provide a visual representation of the North Trail and other trail systems to facilitate clearer discussions of issues. The maps could also contribute to problem-solving by showing where the multiple boundaries between private and public land occurred. The mapping project also targeted the collection of old maps. In this way, the Trails Committee could attempt to determine the legitimacy of the claim that the North Trail was a historic trail used well before the turn of the twentieth century.

I hoped that the maps would serve as a foundation for collecting geographic data at the Mediation Workshop. By having maps on hand that people could review, the Trails Committee could

not only share what had been learned up until that point, but also gather new information. The goal was eventually to have a set of maps on trail use and volume, the location of trail dispute incidents, trail maintenance needs and the permitted uses of trail segments. I also wanted to identify conservation easements in the Gold Hill. I learned of two: one on the Ashram and one on the south side of Sunshine Canyon Road in the East Trails area.

With perseverance, Catalyst found three historic maps which showed the North Trail. Catalyst copied historic maps at the University of Colorado-Boulder Earth Sciences map library and in historic archives of the state in Denver. He also collected copies of maps. Trail Runner/Landlord's Wife and School Mom/Economist did some follow-up research in January 2003. In my own collection of maps, I had one that I had found in remodeling demolition of an interior wall of my house built in the 1880s.

Archival and mapping information proved extremely valuable in establishing the study area and its environmental history. Much of this work was done by walking the terrain and by volunteer members of the Trails Group. The review of archival documents was most intensive prior to the Workshop. In addition, documents were gathered for use in tracking the history of the trail system and the environmental history of the area. A local community member/historian mentioned above, Local Historian, allowed access to archives in the Gold Hill History Museum.

Maps were an important form of data collected. Historic maps were picked up by volunteers at the Carnegie Museum, a museum of Boulder County History and in Denver archives of historic documents.

The Committee also purchased maps of contemporary recreational trails at a popular Boulder map store. We noted the relationship between publishing the alignment of the local wildland trails and an increase in recreational use by mountain bikers in the area. I also began the search for a Geographic Information System (GIS) option for these digitized data sets of the local trails.

Eventually, GIS data to plot the trail system was collected by volunteers who walked the trails with Geographical Positioning Systems (GPS). The GPS data was superimposed on aerial photos of the study area and on previously digitized topographical maps. The GIS maps were prepared pro bono by a staff member at Engineer/Mountain Biker's firm.

At the February meeting we also discussed in great detail the North Trail Bypass. A primary concern reflected that of a Forest Service representative with whom I had spoken. She indicated the standing policy that no new trails or roads be opened across land managed by the Forest Service. She explained that the Forest Service was trying to close trails, not open them. Dedicated Trails Volunteer heard this, but felt that local use would not be an issue as long as the points of entry to the trail were not apparent to non-locals. After some discussion, the Committee agreed that is should also be shown on the Workshop maps.

As the Workshop neared, my home office served as the hub for viewing all the maps in our collection. I placed small colored flags on the maps to note locations of historic and current alignments.

Table 2. LIST OF MAPS

Source: Trails Group

2003 Topographic Map of trails in Gold Hill Study Area with Parcel Ownership
2003 Satellite View of Trails in Gold Hill Study Area

Source: Boulder County

2003 Boulder County Open Space Map
2003 Boulder County Trails Master Plan Map
2003 Boulder County Vegetation Map
2003 Boulder County R&PPA Proposal Map

2002 Boulder County Weed Management Map for Gold Hill, Colorado

Source: Map Store
2002 rev. (1st Ed. 1982) Nat'l Geo. Trails Illustrated Map (Topo): Indian Peaks Gold Hill
1999 (1st Ed 1989) Latitude 40 Boulder County Mountain Bike Map, 7th Ed.

Source: Volunteer Fire Department
1990 circa Map of Boulder County Fire Districts (copy)
1990 circa Gold Hill Residential Map - Boulder County Fire Fighters Manual (copy)

Source: Personal Collections of mine and Dedicated Trails Volunteer
Gold Hill Townsite Map (date unknown)
1902 -1937 Gold Hill Mining Area Map, 1:12,000
1978 Aerial Map of Gold Hill
1978 rev. (orig. 1957) USGS Map of Gold Hill, CO.
SW/4 Boulder 15' Quadrangle 1:24,000

Source: Catalyst's Historical Research
1926 rev. (orig.1914 , rev.1919) Drumm's Wall Map, Boulder County, (blueprint)
1904 (1902 survey) USGS Map of Boulder Colorado, 1:62,500 (copy from map case 20)
1902 - 1937 Ward-Sunset Mining Area Map, 1:12,000

Other Purposes

Ecosystem Management

I hoped that the maps might serve to note wildlife habitat, seasonal needs, weed zones, plant colonies. I also wanted to indicate forest health issues like fire mitigation activities, mistletoe infestations, and beetle kill areas. Maps were prepared with overlays that allowed Workshop participants to make notes.

Recreation and Public Purposes Act (R&PPA)

In February 2003, I was also informed about the Bureau of Land Management's efforts to divest 453 acres that overlap a portion of the East Trails area. Our mapping efforts coincided with the county's efforts to map general public use alignments for the R&PPA proposal. Their map was presented for comment at the Trails Mediation Workshop as it included alignments along existing East Trail corridors.

Making Digitized Maps of Gold Hill Trails

Collecting GPS Data and Targeting GIS

Dedicated Trails Volunteer had borrowed a handheld Geographic Positioning System (GPS) device. She plotted the coordinates on USGS topographic maps, but was only marginally satisfied with the results. Consequently I enthusiastically explained to the Trails Committee, the advantage of the Geographic Information Systems (GIS):

- Copies of maps in large and small formats.
- An effective means to understand the forest landscape, including geographic and hydrologic features in areas seldom frequented.
- A lingering record of any tracking work of local species that might emerge from my Phase Two research.
- Public and private ownership data that would be easy to present.

For the data set, I thought the local Fire District might be a good resource. I called the Four Mile Creek Volunteer fire department Chief who was the brother of Gold Hill Native/Professional. He was helpful but did not have quite what we needed. Our Fire Board in Gold Hill did not either,

but the existing Fire Chief did provide me a file of all the resident landowners in the area as compiled by the Boulder County Assessor's office. The Gold Hill Fire Chief also gave me fire protection maps of every structure in the "Subdivision" and the Gold Hill town site. These maps were useful in determining private property ownership. Then I realized I should probably go to Boulder County with my request.

Dedicated Trails Volunteer was not convinced about the feasibility of GIS work as she does not use a computer, so we explored a non-GIS based approach to mapping that would ensure the transferability of our research to others that might come on the Trails Committee after us, and who might also not be computer savvy. We searched for maps that would show public property ownership. I called the USGS store in Denver to this end. I found a Surface Management map at 1:100,000 scale which simply was too small-scale for productive use.

Dedicated Trails Volunteer became more supportive of the GIS effort when she realized that the maps could be used for weed management and fire mitigation. She is productively involved in task groups for leafy spurge management and fire protection.

Availability of the Maps

As we proceeded with the mapping project, locals agreed that the maps should not get out of our local community. Locals were concerned that local trail maps might attract non-locals to use the trails, thereby increasing trail volume and compounding matters for landowners with trails. A note was placed on the map that stated: "The maps created by the Trails Group are for the purpose of understanding. They are not for general distribution."

With the expectation that few people will venture to use them to recreate in Gold Hill after chancing upon them in the University of Michigan Science Library, I have included the GPS/GIS maps and copies of some of the historic maps in the appendix. Although I am cautious about availability to a public beyond Gold Hill, the maps are useful to a reader. They assist in understanding the Gold Hill landscape and in conceptualizing the location of the trails in relation to the town site and the terrain.

Making GIS a Reality

Engineer/Mountain Biker came to a subsequent meeting. He volunteered the mapping staff of his engineering firm. Engineer/Mountain Biker chose to attend a BOCC hearing in which the data was provided. He and a member of his staff ("Patient Cartographer") produced the 2003 Gold Hill Trail Maps in small and large formats. The time required to conduct this work was significant (36 hours). Patient Cartographer later revised them for the purpose of presentation in the Thesis. Including the time of Dedicated Trails Volunteer (5 hours), Earth Friendly Trail Design and Maintenance Volunteer (4 hours) and Engineer/Mountain Biker were invested.

A local tree trimmer offered his services in that meeting to help Dedicated Trails Volunteer who was suffering from pneumonia and who could no longer trudge through hip deep snow on some of the North and East trails. The tree trimmer (Earth Friendly Trail Design and Maintenance Volunteer) is a very athletic, spiritually-minded older man who was at the time also a newcomer to Gold Hill. He used to live next door to me in 2003 when all the trails activities were occurring. Earth Friendly Trail Design and Maintenance Volunteer is used to the outdoors, having grown up in the rural mountains of southern California. He now is the life partner of Doctor.

Getting the Base Data Set and Completing the Maps

The mapping activities really geared up in February just as all the other trail mediation activities were also. Engineer/Mountain Biker accompanied me to a Boulder County Board of Commissioners Business Meeting in order to ensure that we could obtain the digitized land-ownership boundary files. The Land Use Department's GIS director was hesitant to release the data as he considered it confidential.

Part of the hold-up with obtaining the County's ownership boundary file is that the Open Space Director who was at the time also a County Commissioner wanted us to give the county our GPS data of the local trails. I refused to do so to the consternation of Engineer/Mountain Biker. He had not been in on previous discussions about the avoiding the sharing of map information and trail data outside of Gold Hill (See discussion on Trails for Local Use in Volume One of the *Community Trails Mediation Guide*). In the end it all worked out. With some discussion, we were able to obtain the data on February 21, just three weeks before the Trails Mediation Workshop. The data was provided because the Trails Committee served as "contractors" in conducting county business.

In creating these GIS/GPS-based maps, I spent considerable hours transferring data collection methods from Dedicated Trails Volunteer to Mapping Volunteer. We also met all together one time to make sure that the methodology was understood. Despite this effort, stylistic differences in data collection existed between Dedicated Trails Volunteer and Mapping Volunteer. In the last weeks before the Workshop, I worked out remedies with Patient Cartographer.

The resulting GPS/GIS maps show the alignment of the North Trail and the North Trail Bypass. The maps show property ownership for each of the alignments including the areas that cross Forest Service land. I hoped to have overlays for Mediation Workshop participants to note recreational use, wildlife, flora, trail damage or other types of information they thought everyone should know. Patient Cartographer supplied me with Mylar for map overlays upon which Mediation Workshop participants could write. The maps were completed in the few days before the Workshop was held on March 15 and 16.

The Trails Mediation Guide

Purpose

The inception of a "Trails Mediation Guide" came in an early Trails Committee meeting. The *Mediation Guide* was designed as a guide to trail issues and a vehicle for examining potential solutions to the trail disputes. The *Trails Mediation Guide* was conceived of as a guide to the mediation process and a pathway to understanding. The idea for a *Mediation Guide* sprang up from two sources, Dedicated Trails Volunteer and a friend, a former resident of Gold Hill and still a property owner in Gold Hill, with property upon which a trail borders a stream in Lyons, Colorado. Lyons is at the entrance to the Canyon that goes up to Rocky Mountain National Park.

It was hoped that the *Mediation Guide* would have a residual effect by building local capacity for collaboratively solving trail problems in the future. To this end, several versions were eventually produced (See Phase Two). The first version was completed in Phase One. The first version was entitled "Understanding Trail Access by Locals: Preliminary Working Document" and was produced in early March 2003.

This emphasis on local ownership of knowledge aligns with the development of the *Trails Mediation Guide* (See Chapter Three) in the Gold Hill case. PLA builds upon locals' capacity to understand themselves and their context. For the Gold Hill mediation effort, participants may become conscious of their own choice-making and the repercussions of these choices on others and the environment.

The contents of the *Trails Mediation Guide* were derived from qualitative data collected from primary sources (people) and both quantitative and qualitative data from secondary sources: letters, papers and books. Much information that I had expected to find readily on the role of trails or on the environmental history of Boulder County was not available. I pieced together what I could find and wrote on a range of topics. Speakers at the Mediation Workshop covered the same topics. I left space on each page for participants to make notes while at the Workshop. The Table of Contents follows.

Table 3. TABLE OF CONTENTS FOR *TRAILS MEDIATION GUIDE* FOR WORKSHOP

Excerpt

"The [*Trails Mediation Guide*] serves as a mediation tool for resolving disputed access to the backcountry trail system surrounding Gold Hill. Gold Hill is an historic Colorado Front Range community and the site of the first gold find in the Nebraska Territory in 1859. Local trail systems are poorly understood, but disputes over access are widespread. Over the past year, I have gathered information to help in making sound choices about how and whether to proceed in a mediation process. The booklet presents a condensed version of that research."

...from Acknowledgements page

Participation

Producing the *Mediation Guide*

One school mom was going to help me with compiling the information, but the school closure issue precluded that. Trail Runner/Landlord's Wife was also going to put together the chart on landowner options. Instead, I did this work as well. In the last few days before the Workshop, I stayed up all night putting together a draft *Mediation Guide* for the Workshop.

One woman, Local Historian, offered significant research guidance from the sidelines in terms of Gold Hill's environmental and trails history. She introduced me to the "Gold Hill Club," a prestigious assembly of Boulder County historians. She gave me their names; through these contacts, I was able to conduct interviews of several members including oral history interviews of 80 and 90 year-old native Gold Hill residents.

Input Poster and Disclaimer

Although nothing materialized in this way, I did try to gather input from locals by posting a form on the community bulletin board. "Dialogues" was the early language we used for the Mediation Workshop. The form read:

> "This document could not so early in the process represent all views. This document is intended as an early reflection of the expectations of a group of landowners and trail users in addressing Gold Hill trail use by locals. It is meant to elicit comment.

As we work together, we expect to build a shared framework for addressing all views and perspectives.

Your comments and suggestions may be made by calling Myriem Le Ferrand at 303 443 1171 or by attending Committee meetings. In any case, we will make sure that your viewpoint is incorporated in future such documents. In addition, your participation in the Committee's work would be much appreciated in whatever form you have an interest: from responding to interviews to preparing for the Dialogues as a Committee Member. Most especially, please make sure to attend the Dialogues early next year.

Please return this document to the bulletin board after reading it.

Thank you."

Mediation Guide Sign Up For Workshop

The *Trails Mediation Guide* was available in draft form at the Mediation Workshop. Naturalist (a former Gold Hill Teacher), Mapping Volunteer, Doctor and Dedicated Trail Volunteer all checked out the Mediation Guide. Others simply looked at it at the Workshop. I also handed out a few after the Workshop. I did get information back from these individuals.

"The [*Trails Mediation Guide*] is a way to gather your input on a variety of trails issues in Gold Hill. Write on the blank pages or anywhere. It is a tool for you to use at the Workshop. It is also part of the data gathering for a MS Thesis. Please return at the end of the Workshop or in the next week so your perspectives can be incorporated in the next draft. Thank you."

The Trails Mediation Workshop

Attendance

The Gold Hill Trails Mediation Workshop was held on Saturday and Sunday, March 15 and 16, 2003 in the Gold Hill Elementary School. Saturday's events were held in the morning and Sunday's were held in the afternoon. Twenty-five people attended with some overlap on each day. Fifteen people attended each day. Formal speakers included a historical trails expert, an environmental/real estate attorney, Catalyst on "community," a representative from the International Mountain Bike Association (IMBA) and a Colorado Division of Wildlife District Wildlife Manager. We sat in a large circle, presenting all participants an opportunity informally to discuss issues

The historic trails expert was a very warm, charismatic and informative addition to the Workshop. He was suggested by Local Historian. The trails expert's grandmother had grown up in Gold Hill before the turn of the twentieth century. He was also a retired Boulder County Sheriff ("Retired Sheriff/Historic Trails Expert") and put me in contact with an officer at the Sheriff's department who educated me on trespass cases. In retirement, Retired Sheriff has made historic trails a hobby. His basement is filled with maps. Boulder County's land use department often hires him to research historic trails or to serve as an expert witness. He educated me about identifying historic trails and provided an excellent introduction to the topic at the Workshop.

Purpose

The primary purpose of the Trails Workshop was to bring together the Gold Hill community to discuss how to resolve the North Trail dispute. The workshop was principally designed for general discussions on trail use in the area. I hoped that people would share what worked regarding trail use based on their experiences and hopes for the future. In addition, the Workshop was an opportunity for the Trails Committee to present the results of their research through the *Trails Mediation Guide* and the map displays. The Workshop was also an opportunity to engage in PLA with locals and gather anecdotes, observations, timeline and geographic information. I also hoped to build local ca-

pacity for collaborative problem solving. I hoped that this capacity could be used in the North Trail dispute and in the future, in protecting community assets and the surrounding forest landscape.

Informal Approach and Naming the Event

I set the timing of the workshops so that they would fall before the weather turned to spring. If the weather was too pleasant, signaling spring after a long cold spell, nobody would want to be inside. I also chose the setting and rhythm of the event to correspond with fun community events in Gold Hill. The Gold Hill School and the inclusion of a potluck component may have helped to make the event festive and inviting.

I hoped that a Workshop would get the parties together, and help make everyone feel safe, overcoming a history of distrust, and take advantage of the non-violent communication techniques with which many locals were familiar.

In order to encourage participation, I also tried to make sure that the event did not take too much time out of each weekend day I thought that Saturday morning was a good time to gather because people would still be relaxing into their weekend before running errands and might like the social time.

Finding a suitable name for the event took a lot of time and was part of overall design for the event. In discussions at Trails Committee meetings we started out with "Dialogues." Later in the process, a few people were dissatisfied with "Dialogues" which implied previous confrontation. I sought feedback on how to name the "forum" for our flyers. At this juncture, we devised the concept of a workshop on trails. To further expand on the community social event theme, we set up an open house and potluck to precede the more formal workshop activities and discussions.

Preparation of Workshop and Local Facilitators

I joined with others in the community to plan and facilitate the Workshop. Most of our work was in sorting out the agenda for the two-day Workshop. Individuals self-selected with my encouragement to help in facilitating the Workshop. These were individuals who had previous experience in group leadership. They were Trail Runner/Landlord's Wife, Charismatic Group Leader and School Mom/Economist. In order to reach a common understanding about what we hoped to accomplish, we met three times before the Workshop. I prepared a mini-training on EDR. After much discussion, we were able to settle on a schedule. Soon after setting up the schedule, School Mom/Economist couldn't volunteer to help with facilitating, as she had to attend to the school closure issues. In the end, Charismatic Group Leader and I were the sole facilitators for the workshop.

In the last week before the Workshop, I found myself alone in preparing for it. I accepted this predicament and tried to do my best to get the *Trails Mediation Guide* pulled together, along with all of the data displays. I spent two days and nights at the copy/computer store using their printer because mine was slow and of poor quality. I also used their large-format printer to create charts and comment boards (also referred to as "Print and Post Activities") on a range of subjects. I also had a set of timelines on ecosystem factors and trails events. Chart 3, List of Data Displays, presents the full set of participatory learning and action (PLA) opportunities for gathering data and supporting mutual learning, that were available at the Workshops. PLA is described in this chapter under the section Principles and Practice in the Gold Hill Case.

I also prepared my opening comments, icebreaker activities (although charismatic Group Leader was much better at this than I), signs and a flyer announcing the Workshop, outreach phone calls, organizing the phone pool and other last-minute coordination of the school facility and the potluck. I also worked on getting the final GIS maps corrected for some of the confusing GPS coordinates with Patient Cartographer. After last-minute arrangements on Friday evening after dark, I felt ready for the workshops to begin that following Saturday morning.

Table 4. LIST OF WORKSHOPS PLA ACTIVITIES

Posters (Print and Post Activities)

- Purpose of the Trails Workshop: What do you want to get out of today's session?
- Understanding Local Trail Access: Landowner Perspectives
- Understanding Local Trail Access: Community Perspectives
- What suggestions do you have to resolve existing trail disputes or to prevent future ones?
- Kids and Trails: What do trails let you do? Is that fun? Say anything you know about trails. How do they make you feel?
- Which trails around Gold Hill have you been on?
- Thinking and Feeling About Trails
- What do the local trails mean to you?
- Which trails do you use most? Why?
- North Trail Bypass: Advantages and Disadvantages
- On a scale of one to five, how important is the Gold Hill Trail System to You? Why? Post a note.
- Landowner Trail Segment Ownership and Permission Types
- Possibilities in the Site Plan Review in Boulder County
- What do you think about compensation for Trail Access?
- Evaluation of Workshop: Do you have any suggestions or praise for the way in which the Workshop was designed and conducted?

For Maps with Overlays

"Feel free to correct the maps"

- What seasons of the year do you use each trail? Write the season near the trail.
- Wildlife Sightings
- Locations of Rare Plants
- Trail Segment Ownership
- Landowner Perspectives
- Community Perspectives
- Historic Maps: North Trail Exhibits
- Favorite Sites and Views
- Show where you like to hike, bike, horseback ride,etc.. Write the word near the trail.
- Wildlife Habitat

For Timelines (Print and Post Activity)

- Trails Timeline
- Ecosystem and Conservation Timeline

County Proposal for Recreation and Public Purposes Act (R&PPA):

Advantages and Disadvantages (Print and Post Activity)

Maps with Overlays

- Your Trail Preferences for County R&PPA
- BLM land holdings

Setting the Schedule of Activities

In the last half of February, I settled down to confirm speakers and local facilitators and to create the actual schedule of events. In designing the workshop, I attempted to develop a list of activity types that would work together to create good interaction and learning among participants. Trying to fit what I hoped to accomplish into a short amount of time was difficult. I spent several days working on the schedule and reviewing design principles. Everything was originally supposed to fit into one half day on Saturday. I scheduled speakers to discuss trail history, legal matters, and recrea-

tional use by non-locals. I set aside time for locals to talk about how trail use patterns and concerns could be improved. Then I proposed this very tightly woven schedule to the local facilitators for feedback.

The comment I received from Catalyst/Neighbor was that the schedule was ambitious; Trail Runner/Landlord's Wife thought there should be more time for landowners to talk on their own and not in mixed groups. Trail Runner/Landlord's Wife also wanted to make sure that the social setting made her feel safe. School Mom/Economist provided a compromise schedule that eliminated most of the discussion periods and the discussion of the County R&PPA proposal. School Mom/Economist's proposal moved all the speakers to the beginning of the agenda. I really liked the streamlined feel of School Mom's revisions, but realized that there still wasn't enough time in a half day.

I proposed an expansion of our workshop to two days. The mediation goal for Saturday was trails awareness and to "share perspectives and information." The goal for Sunday afternoon was dispute resolution. The dispute resolution goal for Sunday anticipated a discussion of "the results of shared understanding" achieved on Saturday.

When that was met with approval by the facilitators, I redesigned the schedule to include School Mom's suggestions. I planned three and a half hours per day with an additional period of time for interested individuals to review the results of each day.

The first half of each day's session was an informal open house with a potluck. On the signs announcing the workshops, I billed the open house as "an important time to get up to speed on the context of the issues." The second half of each day's session was presented as "when we jointly put the pieces of the puzzle together."

I tried to make sure that people could flexibly attend either day and still feel productive in their use of time at the Workshop. I tried to set the workshop at times during which people might enjoy socializing, and would be less likely to have religious observances.

The planned schedule is presented in the appendix. The schedule was posted on the community announcement board at the Gold Hill Store.

Arrangement of Rooms and PLA Data Displays

The Workshop on March 15 and 16, 2003 took place in the Gold Hill Elementary School. The school has two classrooms and a large kitchen that also serves as the library. The school kitchen/library was the gathering place for the potluck. For Saturday morning, oatmeal, tea and coffee were prepared by General Store Cook. On Sunday afternoon, she prepared a burrito buffet. At each potluck/open house event, the prepared food was complemented by what locals brought as toppings for either oatmeal or burritos. Extra refreshments were brought into the back room after the open house period was over in the morning.

The front classroom was reserved as a welcome to the Workshop space and a free space for children to run around. Charismatic Group Leader set up a space for an icebreaker using nametags. The front classroom also displayed the posters of individual local species that the students had prepared.

For the Workshop sessions, we gathered in the back classroom. It is more secluded, quiet and sunny than the other rooms in the school. In this room, I set up the PLA visual displays. I put up the maps and displays of our research on the walls. The room presented feedback charts for people to write down notes. I set out tables for people to gather and informally discuss the issues. At these tables I also had pens and post-it notes for participants to comment on the themes in each display poster or map. They could write either on the posters or on the post-t notes as they preferred.

During the workshop sessions in the back room, I suggested that we rearrange the chairs in a circle for the speakers and the locals to engage in conversation. I took notes on a flip chart situated behind me and the co-facilitator, Charismatic Group Leader. The front room and other nooks in the school were also set aside for private space to hold discussions between stakeholders as interest in such discussions might arise.

Description of Activities

"Print-n-Post" was the name I gave the post-it note activity. Through post-it notes, locals could write, and simply post their note, in relative anonymity if they desired, on the relevant display poster or map. Participants could also use the *Trails Mediation Guide* to jot down notes or write on any loose note pads found in the room. Some participants kept the preliminary *Trails Mediation Guide* for additional notations returning them later (10 people did). This information is included in the 2004 version of the *Trails Mediation Guide* (See Phase Two).

So, I proposed an expansion of our workshop into two days. The mediation goal for Saturday was trails awareness and to "share perspectives and information." The goal for Sunday afternoon was dispute resolution. The dispute resolution goal for Sunday anticipated a discussion of "the results of shared understanding" achieved on Saturday.

Table 5. PLANNED PAR/PLA/EDR ACTIVITIES FOR TRAILS MEDIATION WORKSHOP

Objective: Understanding the Community, Understanding Trails, Understanding Eco-System

Pre-Openhouse
- Participant Observer Research
- Semi-Structured Interviews
- Oral History Interviews
- Plant Inventory (see *Guide*)
- Historical Mapping
- GPS Work

Openhouse Activities
- GIS Maps to Comment Upon
- Environmental History Time Line
- Trail Ratings (quantitative)
- Openhouse Comment Boards
- Unstructured Round Table Conversation

Co-Learning Dialogue Opportunities
- Speaker Notes
- Flipchart Notes

Charismatic Group Leader proposed an ice-breaker activity. He thought everyone should have name tags. During the open house portion of the Workshop, he manned the sign-in sheet and the name tag materials with a great deal of humor. The name tags were full sheets of 8.5 x 11 paper attached with small safety pins. Participants were to note who they were relative to the trail issue. Participants also signed a statement indicating their willingness to participate in the workshop and have their comments included in my MS Thesis case study. The wording I used is provided below:

> "The workshop is way to gather your input on a variety of trails issues in Gold Hill. It is also part of the data gathering for a case study on local access trails dispute resolution for a MS Thesis at the Univ. of MI. Individual participants will not be identified. In any case, please sign in and then check next to your name if the case study is acceptable to you. Thank you. "

During the openhouse, locals viewed maps and other presentations included comment boards with specific themes or questions

Speaker presentations included a question-and-answer session and were set up informally. Speakers on legal matters (attorney), and history attended on the first half day. On the second day, speakers on community, the environment and the leader of an off road biking advocacy group. This latter person was the director of an association called the Boulder Off-Road Alliance which is affiliated with the International Mountain Bike Association (IMBA). His attendance was both questioned and supported by other Trails Committee members. These points are discussed in the section on the Trails Mediation Workshop.

Discussion circles targeted bringing together landowners and trail advocates in separated circles. This was a suggestion of Trail Runner/Landlord's Wife. She felt that it was important that everyone be safely separate. Then we could come together on the second day in Discussion Circles.

One mapping activity targeted proposals or clarification of existing trail access options by landowners regarding their trails on overlays of some of the larger maps.

As recorder, I also noted comments and ideas as they emerged. Charts at the head of the room were for recording comments. I mostly noted proposals and observations.

The theme for the kids activities was proposed by Trail Runner/Landlord's Wife and it was what she called a "Trust Activity: protect people, protect nature." We had a budget line item for child care and the after-school care provider coordinated this activity.

I wanted to end on an upbeat note. We discussed some new ideas and evaluated the workshop using a scale of 1, 2, or 3 fingers. Another evaluation of the workshop took the form of a Print-n-Post poster. We discussed National Trails Day that would fall on June 8, 2003. This date coincided with the Gold Hill Elementary School Reunion. Dedicated Trails Volunteer chose to prepare a table and have copies of the *Trails Mediation Guide* present at this event. It was also proposed to have trail field trips. There was a sign-up sheet. Later that year, Dedicated Trails Volunteer did guide these trips.

We also held a debriefing in which potentially new members of the Trails Committee stayed to discuss the trails issues. We discussed next steps. I later prepared a report of our activities for the Boulder County Board of Commissioners (3/28/03) and the Gold Hill Town Meeting. Dedicated Trails Volunteer made the Town Meeting Report on April 14, 2003.

Saturday ended on schedule although not in the sequence of events that had been planned: Sunday ran late, but the sequence of events was more similar to what had been planned.

Neither New Landowner nor his ranching associate and neighbor attended the Trails Mediation Workshop. I did drop off a copy of the first version of the *Trails Mediation Guide* for Seller's Agent. He returned it to me with no comment.

Table 6. ACTUAL TIMING OF THE TRAILS MEDIATION WORKSHOP

Saturday Morning, March 15
Trails Awareness: Share perspectives and information

9 to 10 OPENHOUSE & POTLUCK Bring toppings for oatmeal

10 to 12:30	WORKSHOP	
10	OVERVIEW	Introduction to Workshop Activities & *Mediation Guide*
	SPEAKER	Environmental & Trails History of Gold Hill Retired Sheriff/Historic Trails Expert followed by brief Q&A and comments
10:15	ACTIVITIES	Trails Timeline can be added to at anytime

11:30	SPEAKER	Trail Legalities: Trespass, Liability, Conservation easements, plus…
	Environmental Attorney followed by brief Q&A and comments	
12:20	DAY'S WRAP UP	Fostering Suspended Judgment Exploring Solutions that Endure
12:30	ENDS OF DAY	
1:00	DEBRIEF on First Day and PLANNING	

Sunday Afternoon, March 16
Trails Outcomes: The Results of Shared Understanding

12 to 1 OPENHOUSE & POTLUCK Bring fillings for burritos (beans provided)

1 to 3:40 WORKSHOP CONTINUES

12:50	SPEAKER	Communities and Trails Catalyst/Neighbor PhD followed by brief Q&A and comments
1:25	SPEAKER	Conservation & Trails – District Ranger-Colorado Division of Wildlife Talk followed by brief Q&A and comments
1:40	BREAK	
1:25	SPEAKER	Bikes & Trails – President, Boulder Off Road Alliance Talk followed by brief Q&A and comments
2:15	SPEAKER	North Trails Bypass Dedicated Trails Volunteer followed by brief Q&A and comments
	Is there agreement on the North Trail Bypass?	
3:05	FORUM:	Trail Solutions: Generate Proposals, Options & Permission Scenarios for trail segments Locals on Trails Consultant to China-Husband on trails on his land Follow up for Trails Group
3:40	END OF SESSION	
3:55	For those interested:	
	FORUM:	County Open Space East of Town: Current and Proposed
	County Open Space Planner answers questions • Acknowledgement of Viewpoints— • Early Consensus & Points of Disagreement • Next Steps	
5:30	END OF WORKSHOP	

At the Workshop, information was collected & exchanged with posters, timelines and maps pasted up on the walls and with markers available for participants. Some of the visual PLA tools that we used at the Trails Mediation Workshop included:

- transect walks through a community or landscape with the group of participants;
- venn diagrams to explore social organization or participation;
- community mapping: social/ecological/demographic/health/3D maps;
- home, yard, property mapping,

- charts showing daily use of time which can be very culture and gender specific;
- seasonal calendars can show ecological and social phenomena like the return of the bluebirds or types of use on the North Trail;
- timelines and change analysis that reveal to trends;
- causal analysis and flow diagrams including matrix ranking of options.

The question and answer season with the Trail History Expert took much longer than I expected. He is an older gentleman who is hard of hearing and he seemed to so much enjoy the discussions that I found it difficult to cut his talk short. As a result, we did not hold discussion circles or the forum to gather perspectives. I worked on the historical timeline of environmental and trails history while Retired Sheriff/Trail History Expert spoke. Because of the overrun, the session on communities and trails was held on Sunday rather than on Saturday.

Sunday ran a longer than expected. We skipped the discussions on "understanding the perspectives of others and "assessing shared interests." I think some of this important time was made up by the session at the end of the workshop.

Catalyst/Neighbor's presentation was given earlier as a result of skipping the discussion circle. Then we went straight into two more speakers: one was our District Ranger from the Colorado Division of Wildlife who spoke on dangerous wildlife sightings in the area; the spoke regarding the efforts of bike associations to educate mountain bikers about their impact on local communities and trails. This latter had not been planned, but my co-facilitator, thought he should speak. We completely missed the discussion options for mutual gain, but were back on track with an overview of the North Trail Bypass by Dedicated Trails Volunteer. We did not hold group discussions on proposals trail by trail, or on maintaining good relationships. This occurred unplanned for the last minutes of the Workshop.

So we ended the session with a 35 minutes discussion of possible North Trail dispute options. Participants suggested ideas to help offset the impact of local trail use on landowners; they discussed options & various permission scenarios for individual trail segments, locals talked freely about their use of trails; consultant to China-Husband spoke about his reasoning regarding use of trails on his land and the legal matters that must be addressed by the use of No Trespassing signs; we then as a group ended the session with follow-up activities for the Trails Group.

I closed with a sense of this being an ongoing process and to keep ideas flowing regarding how to work things out on the North Trail. I also ended with an announcement about the annual celebration of National Trails Day which fell that year on June 8. Dedicated Trails Volunteer offered to conduct field trips on the local trails on the day of the Elementary School Reunion. She also planned a booth for the event.

Once some people had left and new ones joined us, we discussed the R&PPA proposal as planned. The R&PPA proposal was followed up by a discussion of future planning efforts. Sunday ended at 5:30 pm.

PHASE TWO – KEEPING THE PROCESS ALIVE WITH PARTICIPATORY ACTION RESEARCH

Overview

The dispute over the closed segment of the North Trail remained despite the Workshop. Under ideal conditions, locals would have made the choices needed in real time at the Workshops. Instead, I distilled the results of the Workshop into a revised version of the *Trails Mediation Guide*. Phase Two was my attempt to keep the mediation process alive through action research. Rather than including the full range of potentially affected parties in a dialogue, I chose to focus on understanding the concerns of the principal stakeholder, the New Landowner.

In late 2003 I began Phase Two of the Gold Hill Trails mediation process. I deepened my search for incentives to negotiate. I also explored additional options for resolving the North Trail dispute. To inform the Trails Committee and the community at large, I chose to present this research

through the *Trails Mediation Guide* format. The material covered the legalities of trail use in Colorado, the role of trails in ecosystem stewardship and community life, the meaning of community, trail management, trail impacts on ecological resources, the ecological attributes of Gold Hill, and Gold Hill's trails history and environmental history.

After The Trails Mediation Workshop

The tensions seemed to have died down regarding the North Trail. Still, some dispute-related incidents occurred on occasion, but none at the level of the incident between New Landowner's dogs and Catalyst's dog. Trail Runner/Landlord's Wife and Trail Runner/NT Segment owner had lightly confrontational encounters with New Landowner as did others. Yet nothing seemed to be urgent or escalated in nature.

Catalyst dropped out of involvement with the North Trail dispute. His energies focused instead on speaking tours and writing books with his wife-to-be. Dedicated Trail Volunteer pursued trail building of the North Trail Bypass.

Having a chronic illness at the time, I was exhausted after the Workshop and took a break to recuperate. Even once I did start on the project again, I did not put any more energy into mobilizing the Trails Committee. No one else took up the slack.

Underlying Interests and the Remaining Opportunities for Resolution

At the Workshop, it became evident that a landowner may be more likely to keep a trail open for local use voluntarily if: the landowner is familiar with the trail users; the trail use type is compatible; and trail use volume and frequency is predictable and unobtrusive. The primary issues remained land tenure and cultural variance. One group identified with the old west, self-reliance and individualism. The other group was more community and nature-oriented. I understood this divergence much better after the Workshop than before.

The New Landowner's perspective was that he had the right to close the trail as it traversed his private property. The community was concerned about restoring a community ethic of use around the trails of Gold Hill. They sought to avoid community fragmentation and many locals protested ostentation (See Site Plan Review hearing on proposed 10,000 sq. ft. house of New Landowner). Such a large home had been approved only one other time in Boulder County, ten years earlier.

Locals were attached to the landscape and to a sense of neighborliness in their ventures out into it. Locals included landowner residents, non landowning residents, and non-resident landowners. There was no solid opposition or support for restoring access to the North Trail along these lines. Most locals were sympathetic to restoring access to the North Trail except Shopkeeper, Seller's Agent and Local Historian. This sympathy did not, however, transfer into overt action.

So, other than my work, a community-wide lack of interest left the issue of the North Trail on a backburner. Still, to do nothing left an unstable situation and the likelihood of future trail disputes. I wasn't ready to admit defeat. There remained a few opportunities on the horizon that might alter the position of New Landowner and support resolution. These were:

- A review of the ecological and trail assessment that was conducted for Boulder County's Site Plan Review prior to approval of New Landowner's home construction plans.
- Finding legal incentives for New Landowner to enter into dialogue about the North Trail Closure.
- Broad-based research on issues surrounding the role of trails in community life and ecosystem stewardship could have a lingering effect on New Landowner. New Landowner might understand the consequence of his choice and try to propose some alternatives of his own accord.
- Local access trails could be better appreciated by the general public and by policy makers at the county or state level. As a result, rules or legislation could provide guidelines that hedge against the factors that lead to new trail disputes.

Increasing the Likelihood of Resolution

I planned to revise the *Trails Mediation Guide* with the information that had been gathered at the Workshop and further research on my part. I wanted to make sure that the community had this information available for future decisions. So, at the very least, I committed myself to providing the community a resource in the *Trails Mediation Guide* that might serve as future reference. I began consolidating existing research in the early summer of 2003 and finished it in the Fall of 2003. A summary of my research is provided under the heading "Broad-Based Incentives" of this section. The following section explains my rationale for revising and enhancing the content of the *Trails Mediation Guide*.

Upgrade and Preserve Phase One Effort

I first wanted to revise the *Trails Mediation Guide*, because I had completed it in an overnight and rushed time-frame. I wanted to clean it up. I thought I could find resources that would fill in the gaps and expected this to be a reasonably short-lived effort. I also didn't want to lose the information that had been provided in Phase One by participants. I didn't want their work or my work to go for naught.

Clarify Interests of New Landowner

Despite not having a chance to actually speak with New Landowner, the thrust of my work was simply attempting to deepen my understanding of New Landowner's interests. If I could show that I understood his interests, I hoped that he might be willing to talk with me.

I guessed that his interests would parallel those of other landowners. Based on the feedback at the Workshop and in interviews, landowners appeared to be mostly concerned with:

- Residential privacy
- Mitigating Liability Risk
- Preserving the unimpeded prerogative of private property rights
- Property values
- Avoiding damage to the resource-Respect for land and landowners
- Fire danger
- Security
- Maintenance of trails

In addition, New Landowner had an interest in an agricultural tax break and the appearance of a ranching lifestyle to ensure it. He also, according to Seller's Agent, the selling agent, was concerned about weed management and his public image in Gold Hill. Seller's Agent also shared the scope of their environmental study on the property and the efforts of New Landowner to address a mistletoe infestation.

In researching the concerns of local trail users and local landowners with regard to trail use, it was discovered that these individuals are sometimes one in the same (e.g., both a landowner and a trail user). A thorough review of the concerns of landowners is presented in Volume Two of the *Community Trails Mediation Guide*. The *Guide* is found in the Thesis appendix. The codified data set gleaned from a stakeholder analysis is presented in the Thesis appendix. This list of direct statements by locals is sorted by area of concern or preference. The data set is presented in the appendix under the title: Appendix Two-B, Gold Hill Trail Access Perspectives: Positions, Interests and Incentives to Negotiate, in the Thesis appendix. This table provides statements by locals in opposition to and in support of local trail access.

Through an awareness of broader concerns, I also expected that there might be common ground. I hoped that this potential outcome would provide an incentive for the North Trail landowner to participate. I hoped that an internal mechanism that favored the preservation of common pool resources might emerge. Outside constraints on the private property prerogative do not work as harmoniously and effectively as internal mechanisms. Possible expanded benefits of mediation might in-

clude monetary benefits for trail access like a conservation easement for trails or reduced liability risk afforded in a state recreation easement for trails.

Surrogate to Dialogue

As a repository for community memory, the second version of the *Trails Mediation Guide* was meant to support quickly getting up to speed on local trail issues. Despite failing to include New Landowner, I thought that the information in the *Mediation Guide* could keep a form of discussion rolling along and perhaps be a spark for future discussions.

Before getting started, I deepened and expanded the concept of the *Trails Mediation Guide* to cover a wide range of topics that affect trail use and fall into the category of broad-based interests. The *Trails Mediation Guide* covers Gold Hill's environmental and trails history, its ecological attributes, the role of wildland trails in community life and in ecological stewardship, and the active forms of trail stewardship that currently exist. The Phase One goal of the *Trails Mediation Guide* had been to:

1. Support information exchange in the Mediation Workshop;
2. De-escalate dispute;
3. Participatory community research;
4. Increase hands-on, constructive participation by community members;

Increasing complexity and a lack of time for detailed data collection and analysis make it difficult for stakeholders to understand the complex ramifications of changes in lifestyle, no matter how seemingly benign. The participatory action research and mediation objectives for the second version of the *Trails Mediation Guide* were to:

1. Serve as a repository for community knowledge and memories;
2. Raise community awareness about trails in and outside the community;
3. Expand the socio- and ecological data base used in decision making
4. Help prevent future misunderstanding after a potential arrangement or agreement has been reached.

Stages in the Trails Mediation Guide Research

In 2003, I completed the research that formed the second version that was provided to Dedicated Trails Volunteer and a couple of local women for editing. The 2004 Phase Two "Trails Mediation Guide" document was well over three hundred pages long, versus the first draft for the Trails Mediation Workshop which was only twenty pages. Later in the Spring of 2004 and in 2005, I produced versions of the *Trails Mediation Guide* that were distributed to the community. The bulk of the Phase Two research is site specific and is contained in the "Gold Hill Ecosystem Stewardship Reference Book" which was not generally distributed. This reference material is available upon request.

Next in the Spring of 2004, I edited the three hundred pages of text into a version with simpler language and less detail. The condensed version was entitled: "Wildland Trails and Historic Communities: Informing the Next Steps of the Mediation Process." I did not widely distribute the material. I had started research on a project and lived in the research setting where I had housing and funding. I simply was not able to formally present the information at that time. Trails Committee members and a few other stakeholders read this version.

In May of 2005, I prepared another two-volume community version of trails research that included the events following the Mediation Workshop. This updated and more detailed version of "Wildland Trails" was presented in two parts entitled: "Gold Hill Trails Mediation Guide: A Review of Options" and "Trails Mediation Guide Supplement: Landowner Concerns and Incentives." Dedicated Trails Volunteer handled the copying and general distribution of this Spring 2005 version. This version can also be found at the local community store in Gold Hill. The following chart summarizes the versions of the *Trails Mediation Guide* that I prepared:

Table 7. VERSIONS OF THE *TRAILS MEDIATION GUIDE*

Version One-March 2003:
Understanding Trail Access by Locals:
Preliminary Working Document and Community Memory Tool
Version Two-January 2004
Understanding Trail Access by Locals: 300 Page Research Edition
Version Three-April 2004:
Wildland Trails and Historic Communities:
Informing the Next Steps of the Mediation Process
Version Four-May 2005:
Gold Hill Trails Mediation Guide: A Review of Options
Trails Mediation Guide Supplement: Landowner Concerns and Incentives
Version Five-March 2006
Gold Hill Trails Mediation Guide
Volume One: Community Awareness and Action for Local Wildland Trails
Volume Two: Dispute Prevention and Resolution for Landowners with Trails
Volume Three: History, Community, and Stewardship of Trails and Ecosystems
Version Six- Expected Publication June 2006 (See appendix for Gold Hill Edition)
Community Trails Mediation Guide
Volume One: Develop an Informal Local Trail Policy
Volume Two: Tools for Trail Dispute Prevention and Resolution
Volume Three: Sustain Common Ground

PAR Results: 2006 Version of the *Trails Mediation Guide*
First Rewrite

This chapter covers the results of my work in researching and writing about the Gold Hill Local Wildland Trails dispute and the issues involved in resolving the dispute. In reviewing the *Trails Mediation Guide*, Version Three, I realized that I should revise the *Trails Mediation Guide* one more time. Since the two efforts coincide, I've combined revising the *Trails Mediation Guide* with presenting in this section the PAR results pertinent to resolving the dispute. Since this MS Thesis is lengthy, the combined presentation seems to make good sense and avoids the duplication of material.

With regard to the *Trails Mediation Guide*, I was dissatisfied with the flow in the presentation of the PAR research in Version Four. This revision was more cohesive for locals to understand as well. The new three volume set covered more information.

A local resident (not yet introduced) planned to make the Volumes One and Two available on the Gold Hill website (accessible by locals only) and distribute all volumes to the New Landowner and other locals upon request. This new trails volunteer also lives at Morning Sun adjacent to New Landowner's property. He has a hobby of taking photo portraits and has a lovely collection of local people in his portfolio. He will be referred to as "Morning Sun Photographer." He is a neighbor of Dedicated Trails Volunteer and formerly of Catalyst before Catalyst moved to the subdivision. Morning Sun Photographer has become a friend of Consultant to China and organized a recent meeting with New Landowner.

Volume One is directed to Gold Hill residents as an orientation to the strategies involved in resolving the North Trail Dispute. In order to encourage New Landowner to sort the matter out with locals, the volume presents a review of the legal case for access to the North Trail. The review covers the history of the North Trail as well as the application of RS2477 and certain Colorado statutes on public thoroughfares, prescriptive use (after twenty years) and water rights. Volume One also pre-

sents the advantages and disadvantages of the litigation strategy. The Volume begins with an overview of the mediation case and background information on local wildland trails. It ends with a discussion of BATNAs for all parties and the tendency of stakeholder strategies in dispute resolution to vary and to evolve.

Volume Two covers the seven sets of options that might address landowner concerns on trails. The volume describes Gold Hill trail use customs and the role of local wildland trails. The links between trails, place attachment and community are also presented. A chart of the approaches Gold Hill landowners with trails have taken to allowing trail access is also provided under the section, "Gold Hill Trail Customs." Volume Three concludes with an overview of the way things could be if landowners chose to care for and partner on local wildland trail systems.

Another Rewrite

The following month I provided Version Five to Consultant to China. He suggested another rewrite that would focus on recommendations for a local policy on trails and on a reference guide to trail issues and strategies. The Contents of the Sixth Version are provided in the appendix. Volume Three is not provided in the appendix, but the proposed Table of Contents is provided below.

Table 8: VOLUME THREE: SUSTAIN COMMON GROUND (TABLE OF CONTENTS)

Foreword: Stewardship and stewardship culture
Fostering local understanding of nature through trail awareness.

Introduction
- Use of *Guide*
- Origin and Case Example
- Wildland Trails
- Community Trails
- Common Ground
- Policy context and Causes of Trail Disputes
- Beyond Common Pool Resources versus Private Property Rights

Communities: Opportunity for Grassroots Restoration on Public & Private Land
- On Cultures of Stewardship
- On a Gap in Stewardship Activity
- On Protected Area Status
- Conclusions on Community Stewardship
- Local Trail Systems and Ecosystem Stewardship
  - Drawbacks of Trails in Stewardship
  - Benefits of Trails in Stewardship
- Wildlife to Human Co-Existence Spectrum

Understanding Public Management Context for Local Stewardship
- Management of Wildland Trail Systems
  - Comparing Stewardship and Management (put in intro)
  - ORV review on public lands
  - Examples of Local Trail Access in other Countries (see CRM Historic paper)
  - Public Land Management: Recreation, History and Ecosystems
    - Forest Service Approaches
    - Forest Service and
      - Building Stewardship Capacity in Local Communities
    - National Park Service
    - Perspectives from the National Historic Trails Program
    - Colorado State Trails Planning
    - County Efforts to Preserve Local Trails

OTHER DEVELOPMENTS SINCE TRAILS MEDIATION WORKSHOP

Condition of Trails Committee and Gold Hill Trail Disputes

Since the Trails Workshop on March 15 and 16, 2003, I have not been involved in organizing or mobilizing community involvement. I had expected to be able to find the information I needed for the *Trails Mediation Guide* and was surprised by my need to do the work myself. No other members

of the Trails Committee had the time or resources to research this information either. I neglected the Trails Committee in favor of completing the trails research and my thesis. I did not attend any more town meetings after the Trails Workshop.

Although there was an initial period of de-escalation in 2003, since that time not all the activities have been non-destructive. I have also learned that other locals not yet mentioned continue to hike the North Trail and will verbally defend their right to do so if they encounter New Landowner. Stereotyping, oppositional trespassing on the trail and deliberate name calling and arguments occurred on the trail segment in 2005. The set of non-organized oppositional responses include: walking the North Trail to show permissive use, ritual on NT closure property, scoping and walking the North Trail Bypass. One local person commented:

> "It's almost as if we are trying to explain to him gently that's not how we do things around here and we would like for you to play with us and not be a playground bully. [New Landowner] has financial resources that seemingly have not taught him about playing fair or looking before you leap."

In terms of the lives of some of the key stakeholder, New Landowner has married and now has two young children. Construction on his new home has begun. The greatest tension after the Trails Workshop was the site plan review hearing for New Landowner's proposed house. The hearing was held in front of the Boulder Board of County Commissioners (BOCC).

Catalyst has also married a Gold Hill woman and moved away from Morning Sun. He is no longer involved in trail related activities.

Dedicated Trails Volunteer presented the third edition of the *Trails Mediation Guide* to the Gold Hill Town Meetings in 2004 and put a few copies in the Gold Hill General Store. She prepared the alignment for the North Trail Bypass along with Engineer/Bike Enthusiast and Tree Trimmer. She has moved into the larger house at Morning Sun that was previously occupied by Catalyst. She has also moved into a committed partnership and may no longer be as available for trail-related activities.

Morning Sun Photographer has taken a greater interest in the activities of the Trails Committee. He helped to organize the community gathering that included New Landowner at Consultant to China's home.

I think that a committee of town residents can be mobilized to carry on the work of resolving disputes on local trails. Every other area that was in dispute has been resolved: that is the East Trails downhill bike racing area and the Emerson Gulch closure. There appear to be new problems cropping up along the South Trail. Locals are concerned about the sale of this land between the Colorado Mountain Ranch, Rocky Point and the land of Consultant to China. The trail is a popular one that connects to the Moccasin Trail and the subdivision and has been used by locals for some time under absentee ownership.

This thesis has been a very expensive endeavor for me, as well as an incredible learning opportunity. Navigating the mediation process and the thesis requirements have been considerable challenges without funding. The following chart presents not only the events specifically tied to the Gold Hill mediation process, but also activities in which I was engaged either in a related area or for my own personal survival while I finished what I had started. Italicized entries relate to other activities (e.g. funding, health, and work). The work l have done that did not specifically relate to environmental mediation is not shown. Underlined entries relate solely to completion of the MS Thesis.

Table 9: GOLD HILL TRAILS EVENTS SINCE TRAILS MEDIATION WORKSHOP

Events of 2003
- Budget and Report to County (April 9, 2003)
- Presentation to IAP2 in Ottawa (May 2003) on Meaning of Local
- Alignment Selection for North Trail bypass (Spring, Summer, Fall 2003)
- *Become member of technical advisory team for Engineers without Borders (EWB) on Culture and Participation*
- NT Closure Property Site Plan Review and Testimony (Fall 2003)
- Write First Draft of Thesis
- R&PPA Testimony (December 2003)

Phase Two: Research for *Trails Mediation Guide* (Spring 2003 through Winter 2004)

Events of 2004
- Moose travel south into Gold Hill area (February 2004)
- *Trails Mediation Guide* Research (V.2) Provided to Local Editors (Feb. 19, 2004)
- First Draft of Thesis Submitted to Professors (March 2004)
- *Move back to my house*
- Third Version of *Trails Mediation Guide* Distributed (April 2004)
- *Appreciative Inquiry Course (Spring/Summer 2004)*
- *RMNA Research in Rocky Mountain National Park (RMNP) (Summer 2004)*
- *Rent out my house and move to RMNP housing*
- Gold Mining Resumes in Gold Hill (Summer 2004)
- Renewed Local Concern: Public Land Recreational Use
- Major Thesis Revisions required by Professors (Summer 2004)
- New Fencing on Northern Boundary of NT Closure Property (Summer 2004)
- Revised Introduction to Thesis (August 2004)
- Additional Revisions to Introduction required by Committee Chair (August 2004)
- *Move out of Rocky Mountain National Park (August 2004)*
- *Analysis for RMNA Research (December 2004)*
- Boulder's Most Detailed Trails Map

Events of 2005
- *Presentation of RMNA Research (January 2005)*
- *Move Again*
- Rewrite Introduction and other Chapters (February and March 2005)
- Process review
- Editing Support from Local for Thesis
- Additional Revisions to Introduction are required by Committee Chair
- *Mentoring and Business Development tied to Research (Feb. and Mar. 2005)*
- Rewrite *Trails Mediation Guide* for Fourth Edition (May 2005)
- *Attend ECR conference in Tucson (May 2005)*
- Distribution of 4th Edition of *Trails Mediation Guide* (June 2005)
- *Move back to my house*
- *Repair and refinance house (Summer 2005).*
- *Put the house on the market (Fall 2005)*
- *Begin to address chronic health problems (Late Summer and Fall 2005)*
- *Prepare Buildable Lot Determination to build small energy efficient house with proceeds of current house (Fall 2005)*
- *Repair system software on computer and get wireless.*
- Mountain Sighting Log Placed at Gold Hill Store
- Gathering at Consultant to China's House (Fall 2005)

Events of 2006
- DSL arrives in Gold Hill (January 2006)
- Submit New Introduction to Thesis (January 2006)

Write Chapter Two (January 2006)
Introduction is accepted with small revisions (February 2006)
Get New Thesis Co-Advisor (February 2006)
Write Chapter Three and 5th Edition of *Trails Mediation Guide* (February 2006)
Preparation of *Trails Mediation Guide*, Fifth Edition (2/ 2006)
Colorado Wilderness Gathering (February 26, 2006)
Rewrite *Trails Mediation Guide*, 6th Edition (March 2006)
Rent out my house and move out (April 2006)
Expected Publication of *Trails Mediation Guide*, 6th Edition (June 2006)

Notes:
In chronological order
Italicized denotes my other work
Underlined denotes Trails Project work but not thesis related

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Gold Hill Trails Events of 2003

Budget Report to County (April 9, 2003)

I prepared a brief report on the events of the trails workshop and provided a detailed budget to the County Commissioners. Total cash outlay was $358.00. $85 was spent on writing supplies and $75 on data display posters for the Trails Workshop. $50.00 went to the environmental lawyer who spoke at the Workshop. $20.00 was allocated for childcare, but never claimed by child care provider. $98.00 was spent on food for the workshops. The Teens activities were an additional cost of $129.00 . $93 of the Teens budget went to the rental of documentaries from Bull Frog, an environmental video vendor. Out of a total budget of $500, $35 remains in the account. Later copying expenses for the *Trails Mediation Guide* have been paid either by me or by Dedicated Trails Volunteer. Another $100 of the Gold Hill Town Meeting general fund was allocated in 2003 for the activities of the Trails Committee.

Alignment Selection for North Trail Bypass (Spring, Summer, Fall 2003)

I had not considered a bypass option, but as the mediation process continued without tangible results in terms of dialogue, the option of a bypass became more and more important in the mind of the Dedicated Trails Volunteer. Dedicated Trails Volunteer spearheaded and performed most of the work with a great deal of success. She made sure that the western entry point from the Switzerland Trail was completely dissimulated and, even for me who has since walked the bypass several times, it takes a little searching to find the entry point.

Locals reactions have been extremely positive. The bypass offers some extraordinary views and experiences of differing ecological systems that the meadows segment of the North Trail does not. For some, the bypass was a little bit too out of the way and could not be used for mountain biking.

Still, it appears that without pursuing a more stable option on the North Trail segment that locals continue to use, tensions might continue to flair. After hiking one day last summer (2005) with my son and the Dedicated Trails Volunteer on the bypass trail, I ran into a local who spoke of another local who had just chosen to confront New Landowner while on his property and verbalize discontent.

NT Closure Property Site Plan Review and Testimony (Fall 2003)

The County also gave New Landowner a permit to build a 10,000 square foot house. That house size is three times as large as the largest house in the area and twenty times as large as the original historic homes of the Gold Hill town site.

Most of the key stakeholders in the Trails Committee went to the hearing and testified in opposition to the house. I testified with concern about the ecological assessment and the need for the New Landowner to talk with his neighbors to support the resolution of the dispute. One County Commissioner informed the New Landowner that he had better sort out the problems if he planned to live in the community or he might find himself without fire response at his house. This is the same commissioner who pushed through "blue line" and open space provisions in the City of Boulder and the County of Boulder. He often visits Gold Hill.

Selling agent and the Gold Hill General Store Shopkeeper testified in support of the application to build. Tensions were palpably high and several inharmonious exchanges emerged as a result. In particular, Morning Sun Landowner and Selling Agent exchanged sharp words.

R&PPA Testimony (December 2003)

People did mobilize around the County's proposal to put in long general public access trails through Gold Hill, a guided road tour circuit and two parking lots with restroom facilities on the plateau of the original town site in the East Trails Area. I prepared a statement for the County Commissioner hearing. My testimony is found in the appendix.

I addressed the impact of general public access trails systems on local trails systems, the likelihood that such trails would engender the closure of additional private sections of local historic wildland trail. I also presented arguments about the need to restore and protect the wildlands around Gold Hill and that the degradation associated with general public access trails is potentially significant.

I also attempted to raise awareness about participatory decision-making and a range of techniques that might reduce divisiveness between landowners and Boulder County, between recreationalists and Boulder County, and between environmentalists and Boulder County. Both the Land Use department and the Open Space Department are affected by a reactive public and a failure to be more directly responsive to constituents.

Phase Two Research: Trails Mediation Guide (Spring 2003 through Winter 2004)

Topics and Methods of Research

The topics of interest to me were the meaning of community, the meaning of local, the meaning of stewardship, the role of trails in community life, the role of trails in ecosystem stewardship, the potential detrimental impact of general public access trails on ecosystems, the history of Gold Hill's trails, ecological resources in Gold Hill, options for meeting landowner needs, preservation tools of national historic trails, conservation tools used by land trusts and the ways that National, State, County and even municipal agencies manage trail systems.

I conducted a literature search, I conducted interviews; and I wrote essays based on my own experience as a participant observer. I prepared a framework for understanding the socio-cultural impact of closure of a trail system on a local community.

I of course spoke with locals regarding the specifics of the trails disputes around Gold Hill. That information is provided in the *Community Trails Mediation Guide*. I interviewed staff at the following organizations: land trusts, appraisers, sheriff's department, open space department, Colorado State Trails Program, and Colorado Mountain Club. I spoke to ecologists working with the county of Boulder, with environmental groups in Boulder and with the Colorado Natural Heritage Program. I spoke with local historians and experts on historic trails of Boulder County.

In my literature search, I was disappointed to find little relevant literature on the type of trails that surround Gold Hill. I found two papers on ecological impact that were prepared in Colorado by a professor at Colorado State University. The one book I found on the role of trails in human society was recommended by Scott Atran at the University of Michigan. I found no other. I found very little other than poetic references to the meaning of community (two citations) and the meaning of local. I drew on the work of researchers at the School of Natural Resources and Environment for community-based ecosystem stewardship.

RMNA Stewardship Study

I found little to specifically define stewardship other than *Wilderness and the American Mind* by Graham Nash. Not discounting the value of that work, I wanted to understand cultures of stewardship in an environment of predominately European descent in the United States.

My study in Rocky Mountain National Park grounds the meaning of stewardship through twenty-five-minute to one-hour long semi-structured interviews with twenty-five participants. The research was funded through the Rocky Mountain Research Fellowship endowed by Justine and Leslie Fidel Bailey Trust. The research is also found in the May 2005 issue of the *Appreciative Inquiry Practitioner* (Le Ferrand, 2005). The issue focuses on the transformation of government.

Based on qualitative coding of the interview responses, "Stewardship is enacting the preservation ideal." Preservation was expressed as an ideal as preservation was fraught with challenges and failures. One simply kept trying to preserve "those qualities of the land and resources that make it a very special place." Other comments included:

- Being able to pass on that landscape to our children in the same condition or better for future;
- The mission comes from congressional mandate to preserve the Park unimpaired for present and future generations and to make the Park available for the freest recreational use;
- Stewardship is leaving as little trace of humanity as possible;
- Oh my God, I hope they do;
- It is never an absolute;
- Stewardship is trying to keep the area acceptable and pleasurable;
- We're trying to preserve for future generations;
- We do as best of a job as we can;
- Taking the time in the actual work to try and do things as well as we can with long-term sustainability in mind;
- It's a challenge because you don't have a buffer of land around the Park to protect wildlife and wilderness; and,
- We try to achieve that on a day-to-day basis regardless of pressures that come to us.

The park's stewardship community is comprised of individuals who:

- Have connecting experiences to nature;
- Have a shared sense of purpose; and,
- Enjoy stewardship activities.

The park's culture binds a loosely-structured community of individuals and organizations that perpetuate and enact the preservation ideal. Stewards:

- Enact the preservation ideal;
- Have connecting experiences;
- Have a sense of responsibility to the resource;
- Have the ability to care for the resource; and,
- Initiate others into connecting experiences.

Literature Review

I partially modeled the *Trails Mediation Guide* on two community-based ecosystem research projects:

Brown, Beverly A. and Agueda Marin-Hernandez, Eds. 2000. *Voices from the Woods: Lives and Experiences of Non-Timber Forest Workers.* Jefferson Center for Education and Research.

Chapp, Susan. 2001. *Cave Junction/Brookings Wild Mushroom Monitoring Project. Final Report.* Illinois Basin Interest Group (IBIG) Forestry Action Committee: Cave Junction, OR.

The research methods and principles associated with community-based participatory action research and environmental dispute resolution have been presented at the beginning of this chapter and are also presented in Chapter Four, Evaluation, as part of an evaluation of the Gold Hill Trails Mediation Process. The research on trails, ecosystems, collaborative ecosystem management and community is presented in the *Trails Mediation Guide* and is based on the following papers and books.

Table 10. TRAILS AND COMMUNITY LITERATURE REVIEW

Trails

Colorado State Parks, State Trails Program and The Conservation Fund. 1995. *The Effect of Greenways on Property Values and Public Safety.*

Colorado State Parks. 2000 *On Nature's Trail: A Guide to the future of Colorado's Statewide Trail System.*

Colorado State Parks, Trails and Wildlife Task Force, Hellmund Associates. 1998. *Planning Trails with Wildlife in Mind: A Handbook for Trail Planners.*

Elkinton, Steve et al. 1997. "CRM and the National Trails System." *Cultural Resource Management* 20(1):1-56.

Knight, Richard and David Cole. 1991. "Effects of Recreational Activity on Wildlife in Wildlands." T*ranscript from the 56th N.A. Wildland and Natural Resources Conference.* 238-247

Miller, Scott and Richard Knight and Clinton Miller. 1998. "Influence of Recreational Trails on Breeding Bird Communities." *Ecological Applications*. 8(1): 162-169.

Rosenberg, Daniel K, Barry R. Noon and E. Charles Meslow. 1997. "Biological Corridors: Form, Function, and Efficacy." *Bioscience* 47:10.

Smith D and P Hellmund 1993. *Ecology of Greenways.* University of Minnesota Press: Minneapolis, MN.

Tilley, Christopher. 1994. *A Phenomenology of Landscape: Places, Paths and Monuments.* Berg: Oxford.

**U.S. Department of Transportation. Federal Highway Program Recreational Trails Program. www.fhwa.dot.gov/environment/rectrail.htm.

Whittaker, Doug and Richard Knight. 1998. "Understanding Wildlife Responses to Humans." *Wildlife Society Bulletin*. 26(2): 312-317.

Community

McMillan, D.W., and D.M. Chavis 1986. "Sense of Community: A Definition and Theory." *Journal of Community Psychology,* 14(1), 6-23.

Moore, Carl M. 2001 "What is Community" *Across the Great Divide: Explorations in Collaborative Conservation and the American West*. Island Press: Wash., DC

Community Based Ecosystem Stewardship

Committee of Scientists (Johnson, Norman K. et al). 1999. *Sustaining the People's Lands: Recommendations for Stewardship of the National Forests and Grasslands into the Next Century*. US Department of Agriculture: Wash., DC

Coughlin, Christine, Merrick Hoben, Dirk Manskopf, Shannon Quesada and Julia Wondolleck. 1999. *The Controversy over Collaboration: An Assessment of Collaborative Resource Management Partnerships.* School of Natural Resources and Environment, University of Michigan: Ann Arbor. Ch 4 & 15.

Groves, Craig and Laura Valutis, Diane Vosick, Betsy Neely, Kimberly Wheaton, Jerry Trouval and Bruce Runnels. 2000. *Designing a Geography of Hope: A Practitioner's Handbook for Ecoregional Conservation Planning. Second Edition. Volumes 1 and 2.* The Nature Conservancy.

U.S Environmental Protection Agency. 1997. *Community-Based Environmental Protection: A Resource Book for Protecting Ecosystems and Communities.* EPA's Office of Sustainable Ecosystems and Communities EPA-230-B-96-003.

Westley, Frances. 1995. "Governing Design: The Management of Social Systems and Ecosystems Management". *Barriers and Bridges to the Renewal of Ecosystems and Institutions.* Chapter 9. pp 391- 427 Gunderson, L.H., Holling C.S. and Lights , S.L. (eds.) Columbia University Press: New York.

Whyte, William. 1968. *The Last Landscape.* Doubleday: New York

Ecosystems

Golley, Frank B. 1998. *A Primer for Environmental Literacy.* Yale University Press: New Haven.

Hallock, Dave and Stephen Jones. 1999. Boulder County Avian Species of Special Concern. *Boulder County Nature Association.*

Mutel, Cornelia Fliescher and John Emerick. *From Grassland to Glacier: The Natural History of Colorado.* Johnson Publishing: Boulder CO

Peck, Sheila. 1998. *Planning for Biodiversity: Issues and Examples.* Island Press: Washington, DC.

Rosenberg, Daniel K, Barry R. Noon and E. Charles Meslow. 1997. "Biological Corridors: Form, Function, and Efficacy." *Bioscience* 47:10.

Shinneman, Douglas J., John Watson and William W. Martin. 2000. "The State of the Southern Rockies Ecoregion: A Look at Species Imperilment, Ecosystem Protection, and A Conservation Opportunity." *Endangered Species Update.* 17:1. School of Natural Resources and Environment at the University of MI.

Gold Hill Trails Events of 2004

Moose travel south into area west of Gold Hill (Winter 2004)

I had a very encouraging personal experience in early February 2004. I had been working on this research for over eight months in relative isolation except for phone conversations with those that I interviewed and with my partner. I encountered seven magnificent moose on my way to Nederland (twenty minutes from Gold Hill and twenty-five minutes from Boulder). I was mesmerized by the frosty green eyes of a light colored male. I was in awe of their size and the beauty of each golden-brown hair in the mane of the largest bull. I had just finished writing the *Trails Mediation Guide* chapter on ecosystem stewardship and Gold Hill. In that chapter, I had written in comparison of the lands protected by the Owl Mountain Partnership on the northwest side of Rocky Mountain National Park and the lands around Gold Hill on the Southeast side of the Park. Moose are part of a relatively intact ecosystem. Legislation does not place great value on the lands around Gold Hill despite the opportunity for these lands to be restored.

The Owl Mountain Partnership occurs in an area that is not so dissimilar to ours. The area is ranch and hunting lands that have been used for well over a century. The quality of biodiversity is perhaps greater though as Moose live there. The area around Walden is a beautiful park/meadow bifurcated by numerous waterways. The waterways of North Park have served migratory species for some time. Gold Hill has many gulches that merit attention and we are in a similar transitional ecotone. "The transition between the Great Plains and the Southern Rocky Mountains is particularly abrupt … near Boulder, where the high peaks along the Continental Divide are less than twenty miles from the edge of the grasslands. (Mutel and Emerick, 1992, 7). So like in North Park, the results of our stewardship could be broader than our own ecosystem.

Moose are never sighted near Gold Hill. To see moose in the watershed above the Switzerland Trail (on the boundary between the Indian Peaks Wilderness) somehow made me feel like my work had some relevance and that I should not be discouraged.

Mediation Guide Research Provided to Local Editors (February 19, 2004)

As I researched and wrote for months, I naively hoped that two specific local women might be willing to clean up what I'd written. Both had previously worked on editing academic documents and were semi-retired. I thought for sure that they would have time to help. I was not prepared for the definitive unwillingness they expressed once they were handed my massive three hundred single-spaced pages of text. I had not realized the monumentality of the task that I had conceived for these individuals. I thought since I had done so much work in research and getting the information all together that others with more financial resources than I might be willing to complete the task and render the material palatable.

I realized then that I had written much more than I ever expected to write. It was as if I had to write several books in order to write what I needed for the *Trails Mediation Guide*. I also received criticism for my writing style which I have to admit was often stream of consciousness. Needless to say, I was very disappointed at the lack of interest in even reading the material. I found it difficult to keep going, but knew that I must despite financial and health problems.

Third Edition of Trails Mediation Guide Distributed (April 2004)

I later realized that the individuals I selected may not have been the right ones to provide me the encouragement that I desired. I gradually came to grips with the need to condense what I had written in order more to directly apply the research to local needs. People have just a short amount of time to understand the gist of each factor that affects their lives. The world has simply become so complex, even in as remote and wild a setting as Gold Hill.

Although two more editions were to follow, the Third Edition of the *Trails Mediation Guide* did help locals to understand the range of issues involved in wildland trail disputes and the ways in which they may be resolved. The Third Edition was in one volumes entitled: "Wildland Trails and Historic Communities: Informing the Next Steps of the Mediation Process, Community Version." The Third Edition was twenty-four pages in length. At the time it was my expectation that I would also prepare a detailed, much longer professional version that would help me defray my current opportunity costs and help resource managers deal with local wildland trail disputes.

The Third Edition has a lengthy page of acknowledgements for over sixty contributors. The chart of local approaches to trail access by landowners was included as was the framework for evaluating the impact of trail closures. Options for resolution were presented as well as guidance about engaging a mediation process. A look at individual and broad-based interests and the meaning of local was included. A summary of public participation and the range of effective participation that occurs in public debate was also presented in the appendix. The State Trails Easement form was included, as were links to other resources on trails.

Gold Mining Resumes in Gold Hill (Summer 2004)

Gold Mining had not occurred in Gold Hill since the 1970s. A Gold Mill was in operation processing old mining tailings from near Nederland, CO. After Boulder County purchased a conservation easement on the land of the old Gold Hill townsite in the East Trails area, the owner was able to reopen the Cash Mine on the southern slope of Big Horn Mountain. A price increase for gold and investor speculation are the primary cause of renewed activity at the Cash Mine. The Cash Mine bores into Bighorn Mountain in the East Trails area. This is the area in which downhill bike racers were injured, but had previously received permission to race.

Renewed Local Concern: Public Land Recreational Use (Summer 2004)

Catalyst stated that he would like the Trails Committee to "broaden its resources to effectively protect our landscape." He also commented on increasing rowdy party use of the Mount Alto picnic area on the Switzerland Trail. Trail Runner/Landlord's Wife (Landowner with Popular Trail to top of Big Horn) and Dedicated Trails Volunteer also wanted me to start considering the ramifications of the sale of the land traversed by the South Trail. The trail had been heavily impacted by the Colo-

rado Mountain Ranch (although they actively attempted to repair horse hoof damage) and outsider mountain bike use.

New Fencing on Northern Boundary of NT Closure Property (Summer 2004)

In response to Dedicated Trails Volunteer's efforts to create a bypass, the New Landowner chose to fence the northern border of his property with a barbed wire fence. Dedicated Trails Volunteer had routed the bypass through this flat and grassy area.

The southern boundary of New Landowner's property had been fenced since 2002 when the disputes began. The southern boundary fence was a wooden triangulated base fence. No off-road vehicles can penetrate the southern boundary and no off-road vehicles can access the northern boundary from the steep terrain south of Left Hand Canyon.

Another bit of opposition to the bypass came from Selling Agent who had initially supported the option, but once he realized that one small thirty foot switchback of the old stage road encroached near Hansen's Pond on his land, he created a barrier across the old stage road.

Another contributing factor to the response of the two partners in the "ranch" operation could have resulted from the maps produced for the Trails Mediation Workshop. On those maps the proposed alignment of the North Trail bypass is shown. The bypass is shown to follow the old stage/freight road at an even grade around the north side of the mount to the north of New Landowners property. The Old Stage Road cuts through New Landowner's property and goes around the mount and then dips back into New Landowner's property on the northwestern corner.

In response to these barriers, Dedicated Trails Volunteer routed the northern segment of the bypass away from the northern fence line and onto the south side of the mount. The new alignment goes up into a beautiful meadow with a view shed that includes the foothills of Boulder, Mount Evans and the Indian Peaks. In the lower panel, the view includes the construction of New Landowner's home. Dedicated Trails Volunteer also bifurcated the switchback near Hansen's Pond so that the ypass did not encroach on Selling Agent's land.

Boulder's Most Detailed Trails Map (2004)

A recreational map was published in 2004 that shows the North Trail. Prior to this time, the popular mountain bike map for Boulder County did not (Latitude 40º).

The new map was produced by Sky Terrain. The Sky Terrain map includes historical information and a great deal of excitement in the notes over historical finds like walls, old mines and grown-over trails. The map researcher/producer also writes that she does not differentiate between public and private land. She states that all trails are presumed public. She also writes that she would like to see trails open to the public as in the Alps where she previously lived. She writes that suggestions are welcome and she does not guarantee accuracy. "Sky Terrain is not liable for the use of this map." The Sky Terrain map shows the following trail-type categories:

- "Trail: some trials closed to mountain bikes;"
- "Route: may be faint, historic or private; and
- "Paved Bike Path."

This categorization of trails indicates a growing sensitivity to various trail types. It appears that historic trails are understood to be special cases even though the terminology "local" has not been used. It seems that "historic" could reflect "local."

The Sky Terrain map shows the route as a trail with the North Trail closure segment shown as a route. In addition, a code labels the route as "ML," missing link. Interestingly enough, in the map legend, a missing link is accompanied by the phrase, "It would be great to have this existing grade open to the public; but currently there is no access.

This enthusiastic mapping project is an extremely unfortunate development. It makes the North Trail now common knowledge. Such public and published knowledge makes it even more difficult to expect New Landowner to reopen access to his segment of trail.

The Trails Group does not distribute its maps to avoid publicity about the Gold Hill trails. No maps had been provided in any version of the *Trails Mediation Guide*. The Fourth Edition will include a map of historic trails on the North Trail closure property. All maps whether produced, purchased or collected by the Trails Committee remain available for locals to view.

Gold Hill Trails Events of 2005

Editing Support from Local Professor of English for Thesis (February 2005)

I was also greatly encouraged when in early 2005, a local professor indicated that he would be willing to edit the *Trails Mediation Guide*. At the time, I was working on thesis Introduction. He noted changes he would recommend and I think that since that time my writing style has improved. He remained available through the summer, but I was not able to make use of his services because I had to work on my house instead. He has indicated that he will be able to edit my work again after his return from Spring Break on March 11, 2006. I expect that he will make a significant contribution to editing the *Trails Mediation Guide*, Fourth Edition and in particular Volume Three*, History and Stewardship of Trails and Ecosystems.*

Rewrite Trails Mediation Guide for Fourth Edition (May 2005)

The Fourth Edition of the *Trails Mediation Guide* was presented in two volumes:

- "Gold Hill Trails Mediation Guide: A Review of Options," and
- "Trails Mediation Guide Supplement: Landowner Concerns and Incentives."

By preparing two separate volumes, I expected to better accommodate the time constraints of New Landowner and other local landowners. These individuals could simply go straight to what interested them in the "Supplement." If they became more interested in the mediation process itself, they could pick up the first volume.

The first volume focused on wildland trails, their function and the mediation process. The chart of landowner approaches to trails was also presented again. The first volume is twenty-two pages long and the second volume is twenty-four pages. Both volumes were spiral bound. The second volume presented the litigation analysis. It also discussed the issues associated with no trespassing, liability exposure and property values. The pros and cons of litigating access were presented. The tax abatement issue was also discussed.

In the "Supplement," I also discussed the strategic miscalculation of the Trails Committee regarding the site plan review of New Landowner's proposed home. I had been so busy doing research that I was taken off guard. I did not want to directly oppose the house, but was not able to provide the trails research to the community in sufficient time for the community to organize around it. (See Fourth Edition, Volume Two for the details of each of these points)

The Fourth Edition did not provide a review of the options for addressing landowner concerns and for resolving trail disputes that is presented in the Second Volume of the Fourth Edition. At the time, I had planned on writing a practitioner version. I had chosen to present the various easement and conveyance options in that more technical version.

During the preceding months and due to my finances, I suffered from equipment problems which I have since resolved. At the time I printed the Fourth Edition, my printer blurred the lettering. Due to the old operating system and word processing software on my computer, I was unable to print the document elsewhere. The legibility of the Fourth Edition suffered greatly as a result.

Distribution of Fourth Edition of Trails Mediation Guide (June 2005)

Dedicated Trails Volunteer copied the *Trails Mediation Guide* at her own expense. She presented a few copies at the Town Meeting. She also followed up letting me know that the Meeting had recommended that a copy be placed on the Gold Hill Community Website. Copies were also placed at the Gold Hill Store.

Dedicated Trails Volunteer and Consultant to China are the only people that I know have read the material. Others may have skimmed the material. The response was favorable, but I never subse-

quently received any questions about any of the material. That is a sign to me of a general lack of interest.

Mountain Lion Sighting Log Placed at Gold Hill Store (Summer 2005)

Two locals, Forest Steward and Local Professional Ecologist, (introduced in Chapter Two), one a former member of the Trails Committee and the other an ecologist, are also on the Volunteer Fire Department. They have begun to place movement-activated cameras in the forests around Gold Hill. They target deer kill and strap the cameras to trees to capture intriguing shots.

At the same time, a log of sightings sits on the tables in the store for locals to inscribe and tourists to be amazed by. The history of sightings was not so frequent. In the last few years, a much larger number of sightings have occurred. In an adjacent valley, locals are discussing an organized response ranging from killing the lions to general lack of concern. The former Trails Committee member is attempting to educate others about the nature of wildness.

Gathering at Consultant to China's House (Fall 2005)

A community-building event relating to the North Trail occurred without my awareness in the Fall of 2005. The following information results from a conference call with Morning Sun Photographer and Consultant to China (2/12/06).

Previously, in 2004, Consultant to China's wife passed away. He and his wife had previously summered on their large Gold Hill property the Switzerland Trail. With the passing of his wife and his dislike of the retirement home in which he came to live, an arrangement was found in which he hired a housekeeper for his Gold Hill home. Morning Sun Photographer would stop in to visit him often.

Gradually, conversations turned to the North Trail closure. Consultant to China had written a letter to Boulder County in support of the 10,000 sq. ft. house. He wanted to ensure that local pressure did not prevent him or his children from building whatever size home they desired on their property. He does however prefer smaller homes.

In the spring of 2005, Consultant to China and Morning Sun Photographer decided to host a private party on the land of Consultant to win to which they would invite New Landowner and his family. After much searching, they were able to locate a phone number and speak with New Landowner to invite him to high tea. The event eventually took place on Sunday, September 27 at 4 p.m. New Landowner was willing to attend with his family as long as certain Morning Sun residents (and others) with whom he had difficulty over the North Trails dispute were not present.

The Selling Agent was out of town, but the Gold Hill Shopkeeper did attend. Others present included the owners of the large summer horseback riding camp. The topic of the North Trail closure did not arise. Rather, the atmosphere was convivial with a lovely gourmet selection of treats (Budget: $1000, according to Morning Sun Photographer). The result was that all felt mutually charmed. Perhaps this event was an important building block in integrating the New Landowner with Gold Hill locals. Unfortunately, the elder Consultant to China never received a courteous or appreciative thank-you card from New Landowner or his wife.

Recent and Upcoming Events-2006

DSL arrives in Gold Hill

This new technology spreads to almost every home in one month. There is a complete transformation is connectivity and the ease with which one can conduct business and personal affairs. In 2001 and again in 2003, I had pushed for DSL access, but at the time, others in the community did not see the merit. Needless to say, the dialup speeds I worked with previously (23,000bps) greatly hampered my research and the capacity of others to engage in trails research with me.

Preparation of Trails Mediation Guide, Fifth Edition (February 2006)

As previously discussed, in writing Chapter Three of the thesis, I have also decided to rewrite the *Trails Mediation Guide*. In addition, the text for the Fourth Edition was prepared so rapidly in just a few days, that the material really did deserve one more revision.

I expanded the content so I had hoped would take a week, instead took a month. I am however quite pleased with the results. The Fifth Edition will better serve the community and will also be of a quality that can be distributed to other interested parties like wilderness advocates, county planning departments and state and federal land management institutions. Rather than rewriting a version that is not case specific, the *Community Trails Mediation Guide* will provide actual examples and a grounded understanding of concepts and trends.

I have also been very lucky to find a returned Gold Hill resident, who is also a professor of English and a professional editor, to edit the *Trails Mediation Guide* at a reduced fee. Several other professional editors have also expressed interest including one local and anther person with previous social and place-based connections to Gold Hill.

In addition, a professional ecologist reviewed the Gold Hill Tracking List with only one addition. He states in an email dated a month later (3/22/06):

> "The tracking list is good, we get many of the bird species moving through or living here, and at least one Botrychium species in Lefthand canyon, B. hesperium, which is on the Natural Heritage Program list but not the attached list. I would think any of the Botrychium species on their list could potentially be in our area."

Colorado Wilderness Gathering (February 26, 2006)

I attended a gathering of wilderness advocates that took place outside of my old haunting grounds, Rocky Mountain National Park. This experience also made me feel more connected to my thesis research. I loved seeing the landscape and also meeting people more experienced than I but interested in the same goals. A founder of the Southern Rockies Ecosystem Project was present. The Sierra Club, the Wilderness Society, the Colorado Mountain Club, the Southern Rockies Conservation Alliance, the Colorado Environmental Coalition, Trout Unlimited, Colorado Wildlife Federation, Western Resource Advocates, Western Mining Project and regional advocacy groups were present

In listening to the talks, it was evident that the loss of designated wilderness to energy leasing was a primary concern. In addition, Off Road Vehicle (ORV) use continued to be a concern. The need for greater citizen involvement was emphasized.

Bipartisan efforts at wilderness protection work well in Colorado. A retiring Republican representative will likely support the protection of Browns Canyon this coming year.

These "Wilderness Gatherings" have been occurring for well over thirty years. The attendees at the conferences used to be predominantly citizens. At this conference, most of the attendees were paid staff. Youth involvement was encouraged. The rules surrounding guided visits into forests have also made it more difficult to raise awareness about wildlands. One must be a professional outfitter to lead a group, which creates a barrier to entry and promotes more formal and technical recreational uses.

Also, the terminology used to address the preservation of wilderness varied greatly across agencies and the advocates for wilderness that work with them. Wilderness related to "Roadless Areas," "core" areas, "wildland" and "wildlife habitat." Advocates attempted to use the terminology provided and then propose alternatives.

One presenter represented The High country Citizens Alliance. He was a wilderness advocate for the Grand Mesa, Uncompahgre and Gunnison National Forests (GMUG). According to him, the Forest Service is employing a new approach for categorizing forest lands and testing the new approach in planning for GMUG. The Forest Service proposal for management of the GMUG presented Theme One as the highest level of protection. Theme One (Natural Processes Dominate) allowed

however for future trail development, mountain bike use, livestock grazing. Theme One also included existing and recommended Wilderness.

At the conference, I distributed a flyer on the *Community Trails Mediation Guide*. One well-known advocate for wilderness and a former director of the Southern Rockies Ecosystem Project was very supportive. She indicated that my research was very important right now. This was quite a boost for someone, like me, who has been working in such isolation. A BLM staff person of over thirty years was also recognized as an important advocate for wilderness inside the agency. He expressed interest in my work as well.

We concurred that not enough research had been completed to evaluate the impact of ORV use on ecological systems. I concluded that preservation for historic reasons might dovetail well with redirecting increased recreational demand for public trail access systems. I am also hopeful that funding might be found to investigate the conservation value of a local trail system. Assessment of the benefits of local monitoring and awareness would be compared to the potential impact on focal species of local use and by type of use. My experience at the "Gathering" also reaffirmed my commitment to the use of appreciative inquiry in natural resource management.

Meeting with Consultant to China (March 10, 2006)

Consultant to China agreed to read the 4th Edition of the *Trails Mediation Guide* prior to publication. His comments were very constructive and I have since revised the Mediation Guide one more time to accommodate his suggestions.

He suggested removing all reference to New Landowner to make the document a generalized and useful reference for Gold Hill for the next twenty years. He sees a trend and believes that the research that has been completed may serve to mitigate the consequences of that trend.

Consultant to China contends that New Landowner is just the first of a large number of wealthy newcomers who will seek to live in such a beautiful setting. He is concerned with the sale of land along the South Trail which he has traveled for over sixty years. Since land value is very high, he expects an individual with similar preferences to arrive. He agrees that integrating newcomers into Gold Hill is critical.

He suggested that the *Trails Mediation Guide* be prepared in two parts: one part as a local policy on trails and the other part as a reference. In addition, he suggests that the Gold Hill Town Meeting, Inc. become a public body rather than remaining a private corporation. As a public legal body, a Gold Hill municipal government would have legitimate authority to regulate changes that might detrimentally affect the local way of life. I accomplished this task in March of 2006.

Presentation of Trails Mediation Guide, Sixth Edition at Gold Hill Town Meeting (April 2006)

The Mediation Guide in its Sixth Edition was presented to the Gold Hill Town Meeting on April 10. The Town Meeting passed a motion to develop an informal local trail policy with the intention of preventing trail disputes. The key recommendations are as follows:

- Local Trails for Local Use;
- A Committee for Trails Stewardship to coordinate trail outreach;
- The Community Cooperates with Landowners who own Trails Segments;
- The Community Conducts Outreach to Outsiders using the Trails;
- The Community Integrates New Landowners with Trails;
- Community-Based Mediation of Trail Disputes;
- Collaboration with Government and Non-Government Organizations; and,
- Ongoing Participatory Action Research on Trail Issues.

Economist Mom is now the Chairman of the Board for the Gold Hill Town Meeting. Economist Mom learned about the Town Meeting from me and another school mom with whom I had been on the Town Meeting Board. This second mom was also a Trails Committee member. We

shared with Economist Mom our concerns about the workings of the Board and the effect of Former Fire Chief on the comfort of the psychological space at these meeting.

On April 10, Economist Mom did an exceptional job of handling negativity the very brief outcroppings of negativity or attach. I had shared with her during our time working together on trails how important it was to make space for everyone to be heard with patience and respect. It was a wonderful meeting and somehow shows that the whole system can be improved with the active involvement of transformation in its parts. The Town Meeting was a wonderful experience for me that day and I can't recall it having ever been quite so before. She almost single handedly saved the school from closure due to a faulty budget analysis of cost per pupil at the Gold Hill School.

As stated earlier, I also have received the commitment of two local, professional editors in ensuring publishable quality of the text. Volume One and Volume Two of the Gold Hill Edition are found in the appendix. The Sixth edition of general public distribution will likely occur in June of 2006. The lingering effectiveness of the Sixth Edition for Gold Hill and for the general public will not be reviewed for this thesis.

The next chapter, Chapter Four, presents an evaluation of the attempted mediation of the North Trail dispute.