

SOUTHEAST METRO STORMWATER AUTHORITY
acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 26-20
Approval of Trail Crossings Policy

WHEREAS, SEMSWA is responsible for the management of stormwater systems, including drainage conveyance, flood control, water quality, MS4 compliance, and floodplain administration within its service area; and

WHEREAS, trails and associated crossings over drainageways are constructed by municipalities, counties, park and recreation agencies, or other entities to serve transportation and recreational purposes; and

WHEREAS, SEMSWA has received requests to fund, repair, or replace trail crossing infrastructure that is not intended to serve a primary drainage or stormwater management function; and

WHEREAS, SEMSWA's role in relation to trail crossings is limited to drainage, flood control, stormwater quality, and regulatory compliance, and SEMSWA does not own, operate, or maintain trail facilities unless expressly accepted by the Board; and

WHEREAS, it is necessary to establish a clear and consistent policy to define SEMSWA's responsibilities and to provide guidance to staff, partner agencies, and the public regarding ownership, maintenance, and funding of trail crossings.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board adopts the attached Trail Crossings Policy.
2. Trail crossings, including bridges, culverts, and low water crossings, are considered infrastructure constructed for the benefit of the trail system, and the responsibility for ownership, maintenance, rehabilitation, and replacement shall remain with the trail provider unless otherwise accepted by SEMSWA through Board action.
3. SEMSWA's role related to trail crossings shall be limited to drainage conveyance, flood control, stormwater quality, MS4 compliance, and floodplain management.
4. SEMSWA shall not fund, repair, or replace trail crossing infrastructure unless the facility serves a primary drainage function and is formally accepted by the Board in accordance with the Trail Crossings Policy.
5. SEMSWA is authorized to implement this policy and to apply its provisions when responding to requests related to trail crossings.

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Date: June 17, 2026

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:
Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor

Southeast Metro Stormwater Authority (SEMSWA)

Trail Crossings Policy

1. Purpose

This Policy defines SEMSWA's role in trails that cross drainageways to protect drainage, flood control, stormwater quality, and regulatory compliance, while delineating SEMSWA's roles and responsibilities.

2. Applicability

This Policy applies to SEMSWA's service area and public and private trail crossings within SEMSWA owned or operated properties. Trail crossings may include:

- Bridges, defined as a structure carrying a trail over a waterway. A bridge has support structures beneath it, but between the supports are open areas. Bridge length generally spans more than 20 feet.
- Major culverts, box or round, are defined as a culvert or a group of culverts that have a waterway opening greater than 20 feet, measured parallel to the trail's centerline.
- Minor culverts, box or round, are defined as a culvert or a group of culverts that have a waterway opening of 4 feet to less than 20 feet, measured parallel to the trail's centerline.
- Mini culverts, box or round, are defined as a culvert or a group of culverts that have a waterway opening of less than 4 feet, measured parallel to the trail's centerline.
- Low water crossings (at grade) are defined as a drainageway crossing at the natural elevation of the channel designed to overtop during storm events.
- Low water crossings (with culverts) are drainageway crossings designed to overtop during storm events and that incorporate a culvert to convey smaller flows.

3. SEMSWA Role

SEMSWA's infrastructure responsibility with trail crossings is limited to drainage, flood control, stormwater quality, MS4 compliance, and floodplain management. SEMSWA does not own, operate, or maintain trail facilities unless specifically agreed to by the SEMSWA Board or as set forth herein.

4. Ownership

Trail crossings and associated infrastructure remain the responsibility of the trail provider unless formally accepted by SEMSWA through Board approval and asset transfer.

5. Review and Floodplain Oversight

Any new crossings or improvements to existing crossings will follow SEMSWA's typical review, acceptance, and permitting process as applicable and in conjunction with City of Centennial or Arapahoe County. SEMSWA will review for compliance with the respective Stormwater Management Manual.

6. Maintenance

SEMSWA may perform maintenance at trail crossings for the purpose of ensuring drainage conveyance. Such actions do not create ownership or ongoing maintenance obligations.

7. Acceptance

SEMSWA may accept a trail crossing only when all the following conditions apply: it serves a primary drainage function, documentation, such as a formal agreement, is complete, no unfunded obligations exist, and the SEMSWA Board approves acceptance by resolution.

Trail Crossings Responsibilities Matrix

Trail crossing responsibilities matrix

| Activity | Trail Provider / Park & Rec | SEMSWA | Notes |
|---------------------------------------|-----------------------------|-------------------------|--|
| Planning | Primary | Advisory and regulatory | Follow the City or County development and permitting process, which includes SEMSWA review and permitting. |
| Design and structural integrity | Primary | Review (drainage only) | The trail provider is responsible for the structure. |
| Construction | Primary | Observation (as needed) | SEMSWA observations focus on drainage protection. |
| Floodplain permitting | Primary | Review and coordination | Includes FPDP and CLOMR/LOMR, if applicable. |
| Structural inspection and maintenance | Primary | None | SEMSWA does not maintain trail structures. |
| Drainage flow maintenance | Secondary | Limited | SEMSWA may provide maintenance to ensure drainage conveyance. |
| Rehabilitation / replacement | Primary | None unless accepted | If applicable, a separate agreement is required. |
| Ownership and liability | Primary | None unless accepted | Requires SEMSWA Board approval and an asset transfer agreement. |

SEMSWA Maintenance Access Roads

If a maintenance access path/road is installed and used entirely by SEMSWA, then SEMSWA would take full responsibility for the path. If there is a shared use for an access path that is also a trail, then the trail owner would be fully responsible for the trail, unless damaged by SEMSWA maintenance or projects, then SEMSWA would either take full responsibility for the damaged areas, or work out an agreement to share cost in replacement with the trail owner depending on the circumstances.