



MEETING OF THE
PARKS & OPEN SPACE ADVISORY COMMITTEE
BOULDER COUNTY, COLORADO
AGENDA

Thursday, April 25, 2024, 6:30 p.m.

Third Floor Hearing Room

County Court House

1325 Pearl Street, Boulder

1. Call to Order

2. Roll Call

3. Approval of Last Month's Minutes

4. Presentations

4.1 Elk Tracks Acquisition

Staff Presenter: Aaron Clark, Land Officer

Action Requested: Recommendation to BOCC

4.2 Loveland Property Acquisition

Staff Presenter: Aaron Clark, Land Officer

Action Requested: Recommendation to BOCC

4.3 Mariposa Passage Acquisition

Staff Presenter: Melissa Arnold, Land Officer

Action Requested: Recommendation to BOCC

4.4 Spruce Gulch Conservation Easement Acquisition

Staff Presenter: Melissa Arnold, Land Officer

Action Requested: Recommendation to BOCC

4.5 Alexander Dawson-2024 United Power Easement Taking

Staff Presenter: Don Durso, Land Officer

Action Requested: Recommendation to BOCC

4.6 US Highway 36 Wildlife Crossing Project

Staff Presenter: Susan Spaulding, Environmental Resources Specialist

Action Requested: Information Only

- 4.7 US Highway 36/North Foothills Bikeway Feasibility Study
Staff Presenter: Alexandra Phillips, County Bike Planner

Action Requested: Information Only

- 4.8 County-wide Housing Update
Staff Presenters: Susana Lopez-Baker, Housing and Human Services Deputy Director and Interim Executive Director Boulder County Housing Authority, and Bill Cole, Housing Partnership and Policy Manager

Action Requested: Information Only

5. Public Comment Period for Items Not on Agenda
6. POSAC Members Comment Period for Items Not on Agenda
7. Director's Update
8. Adjournment



MEETING OF THE PARKS & OPEN SPACE ADVISORY COMMITTEE

BOULDER COUNTY, COLORADO

Regular Meeting Minutes

March 28, 2024, 5:30 p.m.

Third Floor Hearing Room

County Court House

1325 Pearl Street, Boulder

Members Present: Janet George
Tony Lewis
Trace Baker
Paula Fitzgerald
Drew Adams
Jackson Moller (arrived 5:55 p.m.)
Kristine Johnson
Carol Byerly

Members Excused: Derek Turner

1. Call to Order

Note: The Public Comment Period for Items Not on the Agenda did not occur to allow enough time for the Integrated Weed Management Plan decision.

2. Roll Call

3. Approval of Last Month's Minutes

Moved by Janet George
Seconded by Trace Baker

Paula Fitzgerald abstained.

APPROVED

4. Presentations

4.1 Draft Integrated Weed Management Plan

Staff Presenters: Therese Glowacki, Parks & Open Space Director; Tina Nielsen, Special Projects Coordinator; Justin Atherton-Wood, Planning Supervisor

Action Requested: Recommendation to BOCC

POSAC Questions and comments

Paula Fitzgerald: I would request that staff highlight which properties this plan covers.

Drew Adams: I want to recognize the changes made in the plan that reflect public concerns.

Janet George: Has Rejuvra been through the WHO process yet?

Response: It hasn't been approved yet. The full evaluation process is online. Boulder County will go through an outside third party, like Cornell University, to work through the process for us to evaluate.

Kristine Johnson: I appreciate the work that has gone into the plan. I wish the willingness to engage with the public had happened earlier. Do you anticipate your cheatgrass treatment will include more than 1,000 acres to meet that 50% reduction goal?

Response: We don't have the money to do it all in one year, so it will be spaced out over the years. One nice thing about Rejuvra treatments, these results are not from repeated treatments. It's done in one year.

Trace Baker: Pg. 33 in the plan mentions the lowest human health and human impacts to reach the management objective. When that decision comes up, how will it play out?

Response: We'll use the tools available to us to identify those factors.

Trace: Pg. 33 also shows the proposal will have an explanation for why the chemical is needed. Should there also be a discussion of the risks involved as part of the explanation?

Response: Sure.

Trace Baker: Is there a procedure or process for how to monitor?

Response: We do, but we've never written those processes down. Staff have methods that have been developed over the years.

Trace Baker: I believe that this type of transparency in monitoring is important.

Response: Absolutely. One goal is to keep monitoring data online so everyone can see it.

Carol Byerly: Is staff already using drones? Will you contract this work out?

Response: We'll use professionals who are certified to do this type of work. BCPOS staff are using drones for other purposes.

Jackson Moller: When are you coming back with the IWMP for review?

Response: State law requires review at least every three years.

Tony Lewis: Why are there goals for 2030 when the plan will be reviewed every three years? Why wouldn't you set goals for the three-year mark (2027)?

Response: We felt like we needed additional time to meet those goals. I don't know that we can reach the 50% reduction goal before 2030, but we can show progress by the three-year mark.

Jackson Moller: What is the participation rate for the Weed Warrior project?

Response: We are currently taking applications. We have at least 32 applicants right now. We will start taking rolling applicants through the year.

Kristine Johnson: Is it possible to have a 25% reduction in three years?

Response: I don't know if it's possible. We would need to look at our numbers to see if that's an opportunity for us.

Tony Lewis: I appreciate the public for being such fierce advocates and that staff has been so responsive. I would like to see staff track progress as you go along.

Response: We do plan to show that progress and give POSAC updates.

What happens if those drone drift cards show drift?

Response: We can clarify that. If we are way outside our target zone, we'll make changes. That's why we're putting in the buffers.

Tony Lewis: Before using drone applications, I'd like for you to add your plan for notifying residents, which includes multiple methods.

Tony Lewis: Would the use of any new herbicides on open space come to POSAC first or would you just look at the WHO guidelines?

Response: If we adopt the WHO process, any herbicides in Table 4 or 5 could be used.

Public Comments:

Tess McDonald, Lyons. She stated that some people are afraid to recreate on county open space due to the use of herbicides. She believes these chemicals cause cancer. She wants to see all use of glyphosate in the county to be stopped.

Erin Meschke, Boulder. She asked POSAC to not vote to approve the current plan. She has concerns about drone spraying. She would like to see goats used for the management of cheatgrass. She believes glyphosate is a carcinogen.

Christal Markevich, Unincorporated Boulder County. She stated that diazepam is too dangerous to use on open space lands.

Kathleen Sands, Lyons. She doesn't think herbicides are needed at all and believes there are other, better options. She stated that the public doesn't want herbicides used.

Amanda Dumenigo, Lyons. She stated that cheatgrass does not require eradication. She spoke about the risks of glyphosate and would like to see a full ban.

Karen, Boulder. She has been chronically ill after being exposed to pesticides while working for the USFS.

Cathern Smith, Louisville. She is encouraged to see fewer chemicals being proposed and she would like to see a better way of notifying residents.

Lezlie Forster, Boulder. She is concerned about the continued use of glyphosate by Boulder County, and she listed the harmful effects.

Alex Markevich, Unincorporated Boulder County. He doesn't believe the county has listened to the public commentary in drafting the current plan, which is asking for stopping all aerial spraying and the use of glyphosate.

Scott Miller, Lafayette. He thinks the bigger issue is for staff and POSAC members to be the best stewards of the land. Staff manages county lands every day and they know the methods that work. Their expertise should be considered.

POSAC Deliberation:

Trace Baker moved to recommend the plan as written and presented by staff.

Paula Fitzgerald seconded.

Carol Byerly proposed an amendment to remove the use of glyphosate from the plan.

Kristine Johnson seconded.

Drew Adams asked what the backup plan would be if glyphosate was removed.

Staff responded that it would be a challenge to find a replacement and it could cause greater disturbances and create more weed pressure.

Vote on Amendment 1 to remove the use of glyphosate:

Amendment passed 7-1

Kristine Johnson proposed an amendment to remove the use of Indaziflam in the plan until the WHO approves it.

Jackson Moller seconded.

Vote on Amendment 2: Failed 6-2

Jackson Moller proposed an amendment to add a multi-modal notification system for aerial spraying that includes a way for residents to subscribe.

Paula Fitzgerald seconded.

Vote on Amendment 3: Passed 8-0

Kristine Johnson proposed an amendment to reduce by 25% in the acreage treated by herbicides by the 2027 review, in addition to the 50% reduction in six years.

No second. Amendment failed.

Kristine Johnson proposed an amendment to remove all aerial spraying from the plan.

Jackson Moller seconded.

Vote on Amendment 4: Failed 6-2

POSAC discussed the possibility of forming an oversight committee for the IWMP. Members agreed it would be better for staff to regularly update POSAC, which already provides some oversight.

Trace Baker asked staff to add language that BCPOS will return to POSAC with a discussion of risks and benefits before using a new herbicide.

Carol Byerly moved to approve the plan as presented by staff with the following amendments:

- 1) Add glyphosate to the list of herbicides no longer used.
- 2) Direct staff to create a multi-modal notification system and subscription notification system to notify residents of aerial spraying.

Janet George seconded.

Motion passed 6-2.

5. **Director's Update**

- Today the Board of Boulder County Commissioners approved the East Boulder Creek Site Management Plan with modifications.

- Housing & Human Services has a program for farm worker housing. We will have a presentation on this at the April POSAC meeting.

6. **Adjournment**

8:55 p.m.



Parks & Open Space

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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, April 25, 2024

TO: Parks & Open Space Advisory Committee
FROM: Aaron Clark, Land Officer
AGENDA ITEM: Elk Tracks Acquisition
ACTION REQUESTED: Recommendation to the BOCC

For much longer than Parks & Open Space's history of stewarding open space, the land in this community has been important to diverse Indigenous communities that continue to live here. We are partnering with Indigenous people to make meaningful changes to how we do our work that include Indigenous people, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.

Summary

Boulder County proposes to acquire fee title to approximately 36 acres owned by Heff and Mo's Fort, LLC, with any associated water rights, for \$535,000. The property has an address of 6359 Coal Creek Canyon Drive and is located near the intersection of the Peak to Peak Highway and Coal Creek Canyon Drive. Staff supports this acquisition.

Background Information

The current owner acquired the property in 2021. Elk Tracks is adjacent to USFS lands on the north side. Boulder County open space is also situated on the property's north side, part of a contiguous stretch from the Baylin property through Reynolds Ranch. Elk Tracks is primarily forested and has several good-sized aspen groves. The property is bounded by Highway 72 on the south side. There are no structures on the property except for an old barbed-wire fence. A two-track road crosses the property east-to-west.

Deal Terms

This acquisition will remove one development right. This transaction will be paid for with open space sales and use taxes, which Boulder County can only use for open space purposes.

Acquisition Summary

Acres	Water Rights	# Building Rights County Will Acquire	Price per Acre	Water Right Value	Total Purchase Price
36	None	1	\$14,948/acre	N/A	\$535,000

Mineral Rights

Boulder County will acquire the mineral rights with this property if seller owns them. The status of the mineral rights is unknown, and title is currently being researched to determine whether seller owns the mineral rights. A Phase 1 environmental assessment will be completed, and if the results show any mining hazards on the property, staff will notify the State of Colorado's Division of Reclamation, Mining and Safety for formal closure of those hazards. Parks & Open Space will use the Phase 1 report to determine whether any portions of the property need to be closed to public use for safety reasons.

Oil & Gas Leases

The property is not subject to an oil and gas lease.

Boulder County Comprehensive Plan Designations

The Boulder County Comprehensive Plan (Comp Plan) provides information about the area's agricultural, cultural, environmental, and other open space resources (including passive recreation, community buffers, and scenic viewsheds). Maps in the Comp Plan indicate the following designations of these resources near the property: View Protection Corridor (Highway 72), Environmental Conservation Area (Magnolia), Winiger Ridge Elk Herd Migration Corridor, Significant Natural Communities. In addition, the property may provide the potential opportunity for trail connections to Reynolds Ranch if those are desired in the future; however, there are obvious challenges relating to topography and vehicular visibility that will need to be analyzed. No evaluation has been done, and Parks & Open Space has no plans to explore that possibility at this time.

Potential Uses

Like all properties acquired for open space, the property will be managed for an open space use. At this time, the property is used for private recreation. Parks & Open Space will temporarily close the property for wildlife purposes so that staff can conduct a detailed assessment. The process to determine specific future open space uses (including public access via trails or other passive recreation versus closures that protect a property's open space resources) is an involved planning process that can only be done after acquisition. Parks & Open Space staff need ample time after acquisition to evaluate the property, and no evaluations about other potential future uses have been made at this time.

Staff Recommendation

Staff recommends approval. The site's location between Highway 72 and the Reynolds Ranch open space area provides a good connection, and an opportunity for better access in the future. Acquisition of this property will preserve significant natural areas in Coal Creek Canyon and will provide beneficial effects for local wildlife migration corridors as well as the scenic corridor along Highway 72.

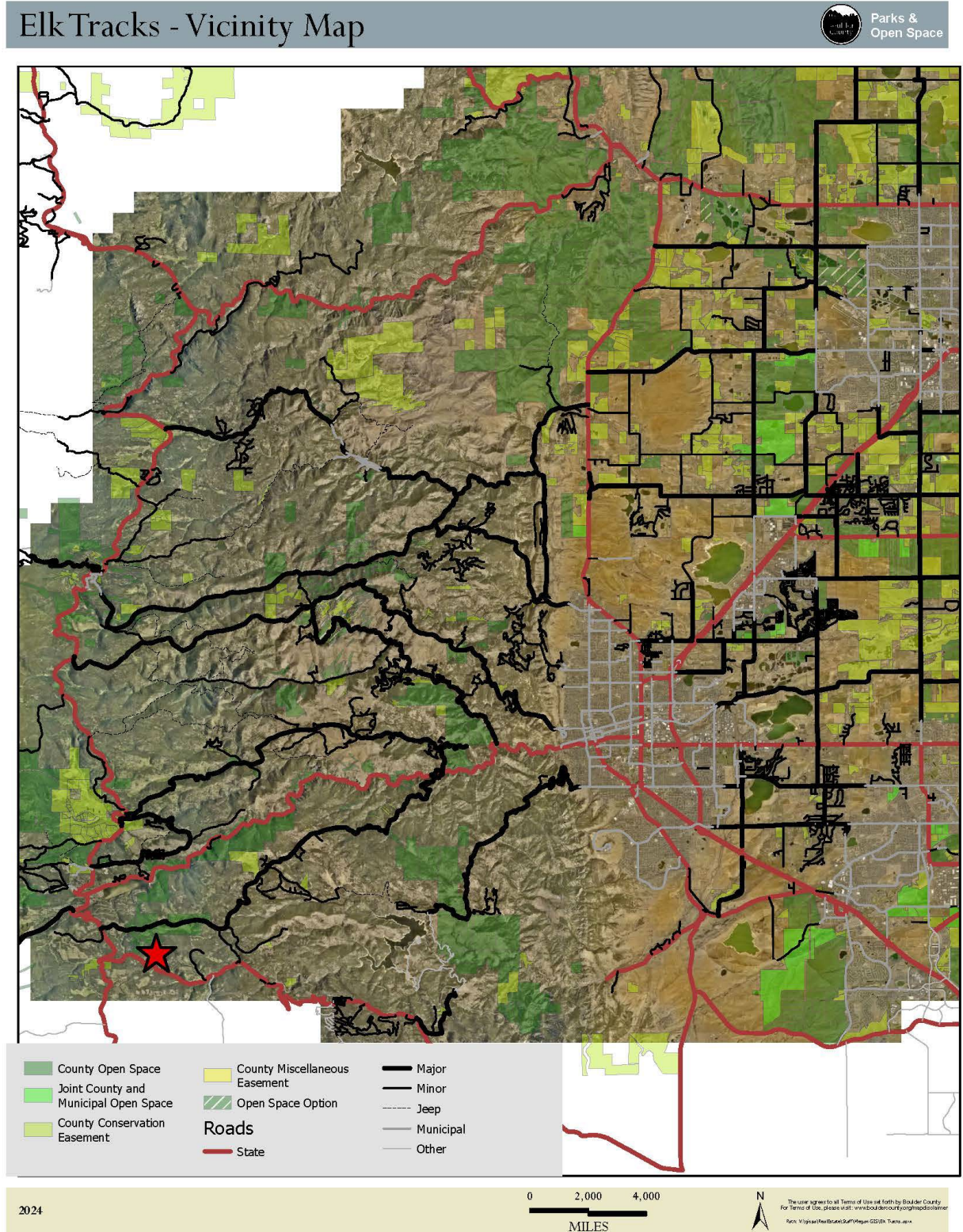
POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval of the project as described above and as further described by staff at the POSAC meeting.

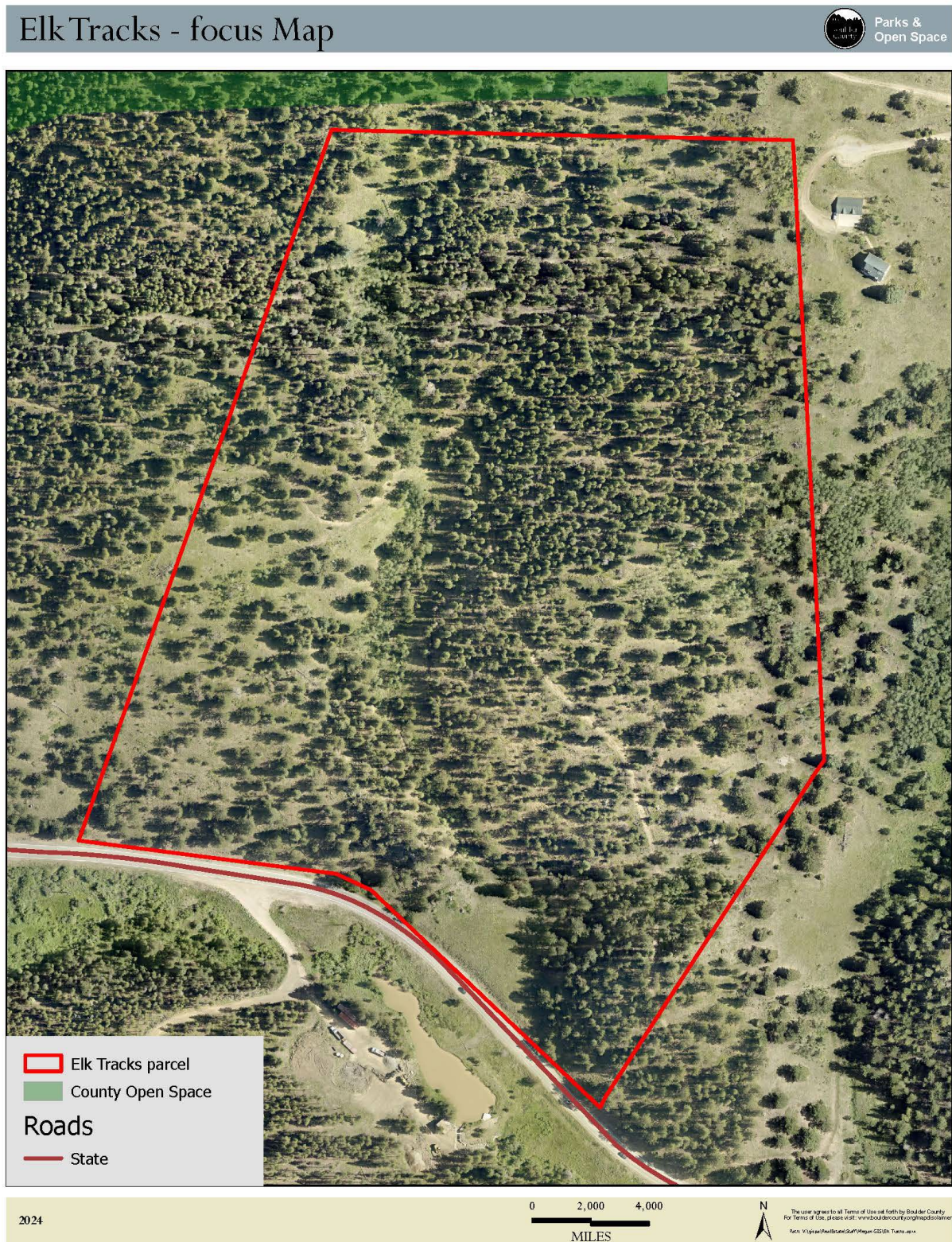
Suggested motion language: I move approval of the project as described above and as further described by staff in their presentation.

(see next pages for maps)

Vicinity Map



Close-Up Map





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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, April 25, 2024

TO: Parks & Open Space Advisory Committee
FROM: Aaron Clark, Land Officer
AGENDA ITEM: Loveland Property Acquisition
ACTION REQUESTED: Recommendation to the BOCC

For much longer than Parks & Open Space's history of stewarding open space, the land in this community has been important to diverse Indigenous communities that continue to live here. We are partnering with Indigenous people to make meaningful changes to how we do our work that include Indigenous people, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.

Summary

Boulder County proposes to acquire fee title to approximately 5 acres owned by Bill Cornwell, with any associated water rights, for \$28,000. The property has an address of 8454 Lefthand Canyon Drive and is located near the intersection of Lefthand Canyon Drive and Lickskillet Road. Staff supports this acquisition.

Background Information

The current owner acquired the property in 2009. There are no structures on the property, though a rough Forest Service road passes through it. The property lies north of Rowena near Nugget Hill and consists of the "Loveland Lode" mining claim, though no mining activity seems to have taken place. The property is an inholding, surrounded by Boulder County open space on three sides; this includes the Steen Lodes and Johnson-Nugget Hill properties. USFS land is adjacent to the west.

Deal Terms

This transaction will acquire approximately 5 acres south of Jamestown. This transaction will be paid for with open space sales and use taxes, which Boulder County can only use for open space purposes.

Acquisition Summary

Acres	Water Rights	# Building Rights County Will Acquire	Price per Acre	Water Right Value	Total Purchase Price
5	None	1	\$5,982	N/A	\$28,000

Mineral Rights

Boulder County will acquire the mineral rights with this property if seller owns them. The status of the mineral rights is unknown, and title is currently being researched to determine whether seller owns the mineral rights. A Phase 1 environmental assessment will be completed, and if the results show any mining hazards on the property, staff will notify the

State of Colorado's Division of Reclamation, Mining and Safety for formal closure of those hazards. Parks & Open Space will use the Phase 1 report to determine whether any portions of the property need to be closed to public use for safety reasons.

Oil & Gas Leases

The property is not subject to an oil and gas lease.

Boulder County Comprehensive Plan Designations

The Boulder County Comprehensive Plan (Comp Plan) provides information about the area's agricultural, cultural, environmental, and other open space resources (including passive recreation, community buffers, and scenic viewsheds). Maps in the Comp Plan indicate the following designations of these resources near the property: Walker Mountain Environmental Conservation Area, B3 High Biodiversity Significance Area (Steen Lodes), View Protection Corridor (Lefthand Canyon Drive), Archaeologically Sensitive Area (Lefthand Canyon).

Potential Uses

Like all properties acquired for open space, the property will be managed for an open space use. At this time, the property is used for private recreation. The property will be open to public use unless Parks & Open Space later determines other closures or other open space uses are appropriate. The process to determine specific future open space uses (including public access via trails or other passive recreation versus closures that protect a property's open space resources) is an involved planning process that can only be done after acquisition. Parks & Open Space staff need ample time after acquisition to evaluate the property, and no evaluations about other potential future uses have been made at this time.

Staff Recommendation

Staff recommends approval. Acquisition of this small inholding has value for management of the surrounding Boulder County open space, which will become much easier with this private property interest removed. Acquisition of the property will also further POS' goals of protecting scenic views in Lefthand Canyon and important biodiversity areas and the other open space values noted on and near the property.

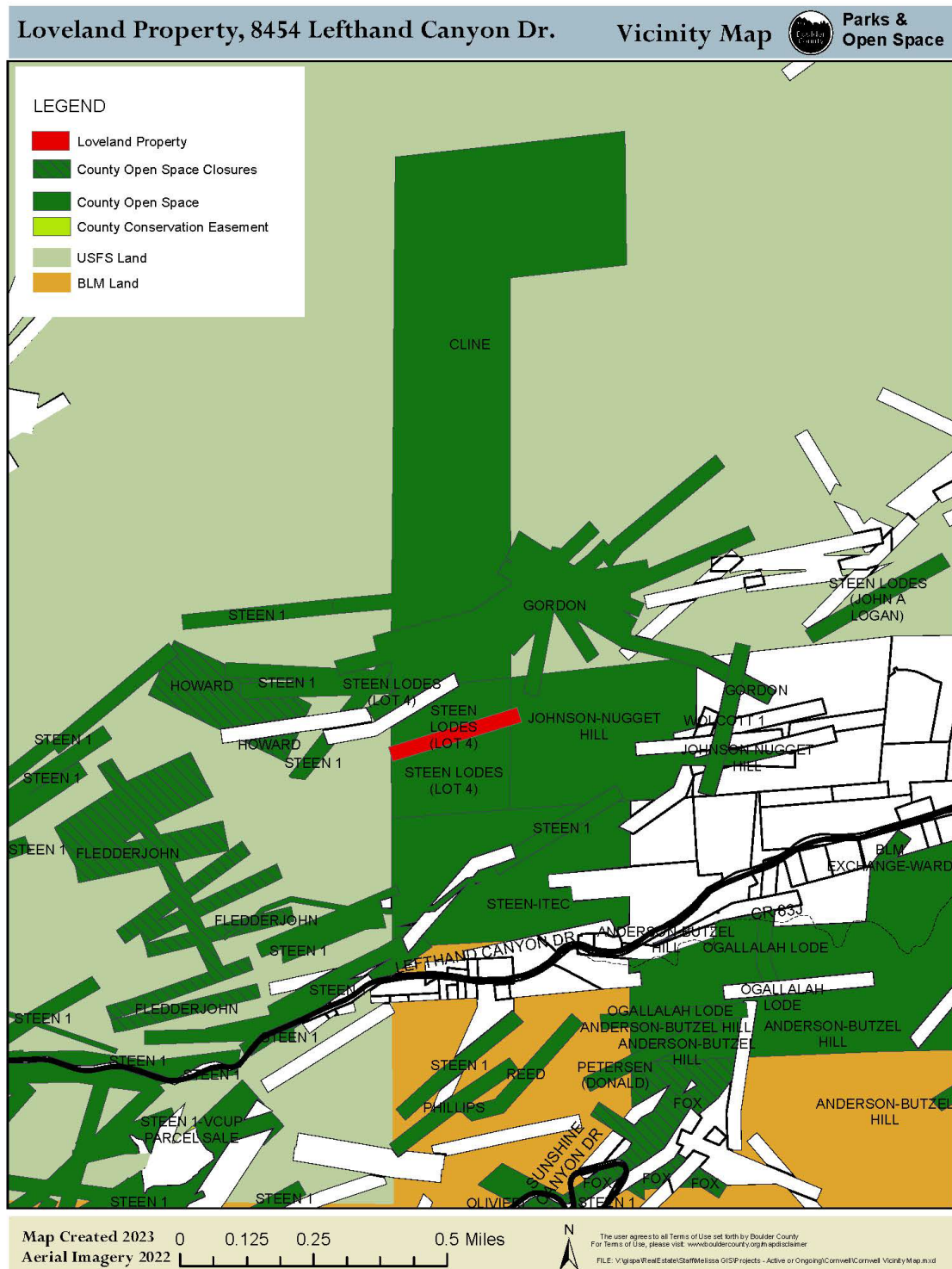
POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval of the project as described above and as further described by staff at the POSAC meeting.

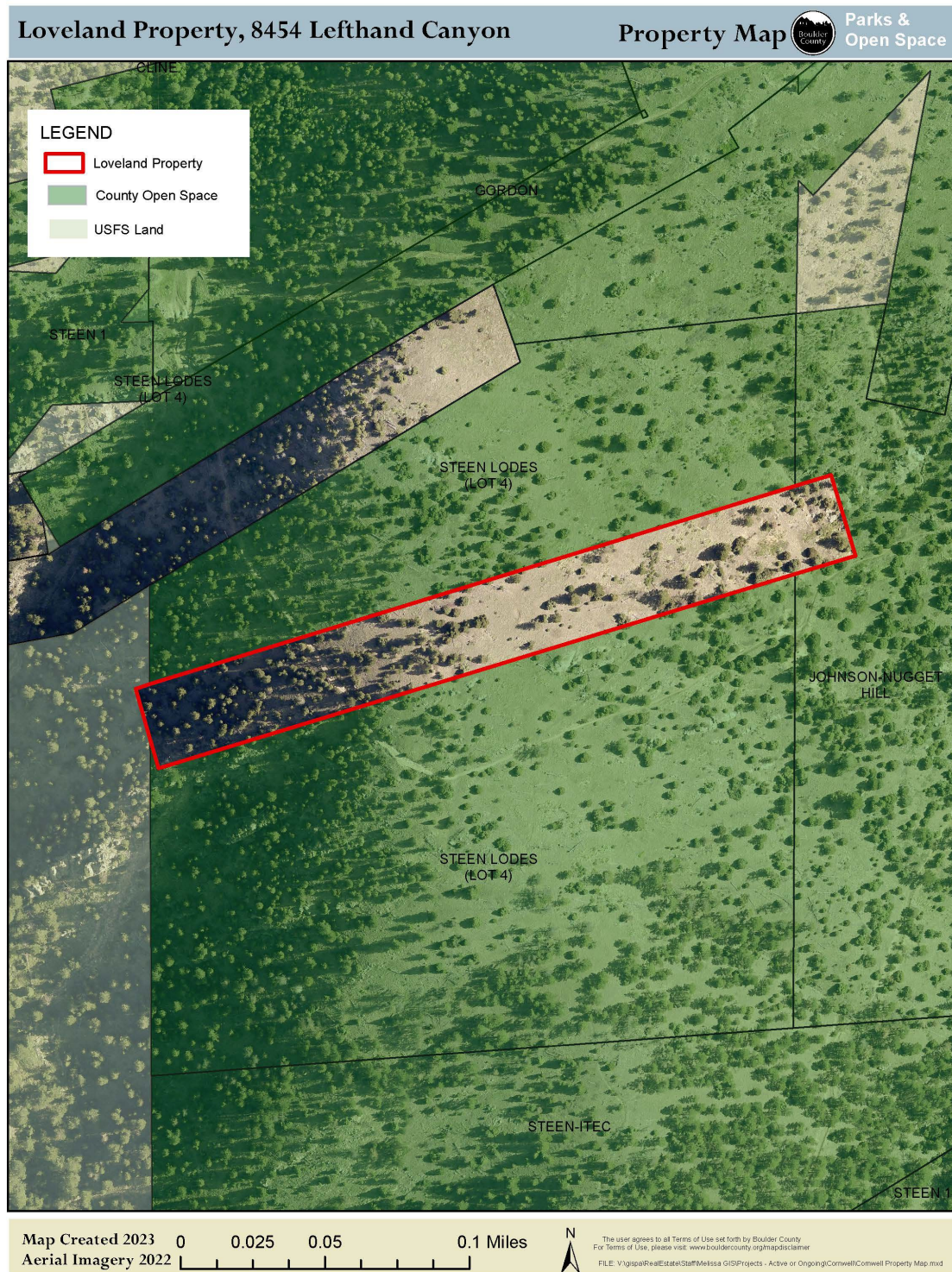
Suggested motion language: I move approval of the project as described above and as further described by staff in their presentation.

(see next pages for maps)

Vicinity Map



Close-Up Map





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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, April 25, 2024

TO: Parks & Open Space Advisory Committee
FROM: Melissa Arnold, Land Officer
AGENDA ITEM: Mariposa Passage Acquisition
ACTION REQUESTED: Recommendation to the BOCC

For much longer than Parks & Open Space's history of stewarding open space, the land in this community has been important to diverse Indigenous communities that continue to live here. We are partnering with Indigenous people to make meaningful changes to how we do our work that include Indigenous people, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.

Summary

Boulder County proposes to acquire fee title to 2.43 acres owned by the Ranegar Revocable Living Trust for \$365,000. The property has an address of 799 West 1st Street in Nederland and is located near the intersection of State Hwy 119 and 72. Staff supports this acquisition.

Background Information

The Mariposa Passage property is the last undeveloped lot in the Titterington Estates subdivision on the western edge of the Town of Nederland and east of Tucker and Elk Draw open space. The property is situated at 8,440 feet in elevation on a south-facing slope with open meadows and pine forests, approximately 100 feet above Middle Boulder Creek. A shared driveway extends along the eastern edge of the property, and a dirt two-track road on the southern end of the property leads to the adjacent United States Forest Service (USFS) land, and Boulder County's Elk Draw and Tucker open space properties. The property is vacant except for a small shed.

Deal Terms

Boulder County will acquire fee title to 2.43 acres and remove one development right from the property. Acquisition of this property will provide the county with road access to the nearby Tucker and Elk Draw open space properties for essential wildfire mitigation work. This acquisition is not anticipated to provide any public access to these properties.

Boulder County is working with the Boulder Watershed Collective and the USFS on a forestry management plan that will remove fuel loads from the forested areas immediately west of the Town of Nederland, improving the health of the forest and reducing wildfire danger to the town. For the county and its partners to get vehicles and forestry equipment onto the Tucker and Elk Draw open space properties, it is critical to secure legal and physical access via this property. This property is the lynch pin to the planned forestry work and for overall property management work over time; it is situated on the road leading to the USFS and county forested properties. Fortunately, the landowners are willing to sell it to the county, allowing the county to secure this access for the county's administrative purposes only. County ownership of this property will not provide public access to USFS land or

county open space properties. This transaction will be paid for with open space sales and use taxes, which Boulder County can only use for open space purposes.

Acquisition Summary

Acres	Water Rights	# Building Rights County Will Acquire	Price per Bldg. Right	Water Right Value	Total Purchase Price
2.43	N/A	1	\$365,000	N/A	\$365,000

Mineral Rights

Boulder County will acquire the mineral rights with this property.

Oil & Gas Leases

The property is not subject to an oil and gas lease.

Boulder County Comprehensive Plan Designations

The Boulder County Comprehensive Plan (Comp Plan) provides information about the area's agricultural, cultural, environmental, and other open space resources (including passive recreation, community buffers, and scenic viewsheds). Maps in the Comp Plan indicate that the property is within the Indian Peaks Environmental Conservation Area.

Potential Uses

Like all properties acquired for open space, the property will be managed for an open space use. The property is vacant and used as private open space by the landowner. The property will be open to public use, unless Parks & Open Space later determines other closures or other open space uses are appropriate; however, the road that leads to this property from the Town of Nederland is not public, and although the county will receive private access easements for administrative use by staff, the public will not be able to access the property via West 1st Street in Nederland. The process to determine specific future open space uses (including public access via trails or other passive recreation versus closures that protect a property's open space resources) is an involved planning process that can only be done after acquisition. Parks & Open Space staff need ample time after acquisition to evaluate the property, and no evaluations about other potential future uses have been made at this time.

Staff Recommendation

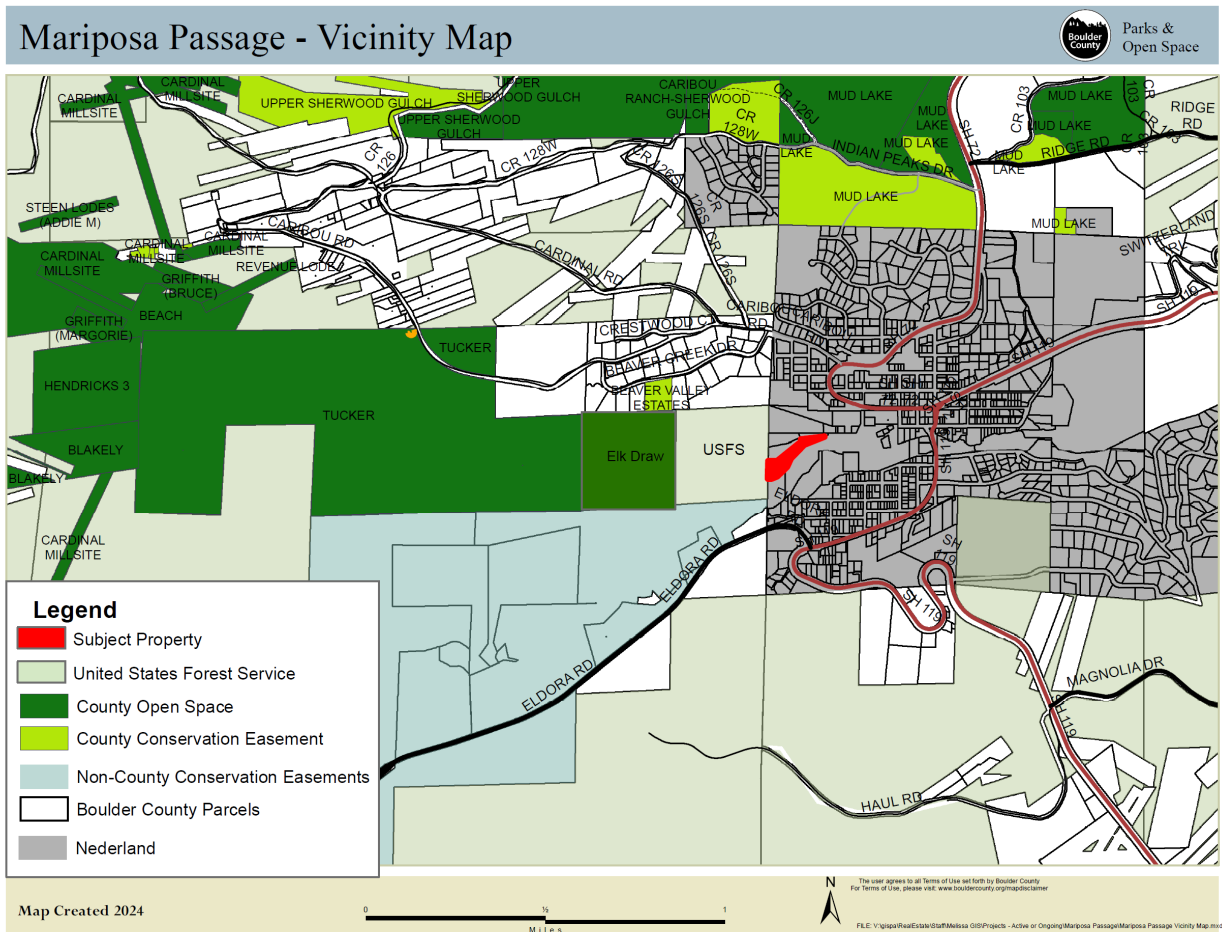
Staff recommends approval. Acquisition of this property will allow the county to better steward its nearby open space properties, by securing vehicular access needed for wildfire mitigation work and overall property management of these open space properties, now and into the future.

POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval of the project as described above and as further described by staff at the POSAC meeting.

Suggested motion language: I move approval of the project as described above and as further described by staff in their presentation.

Vicinity Map

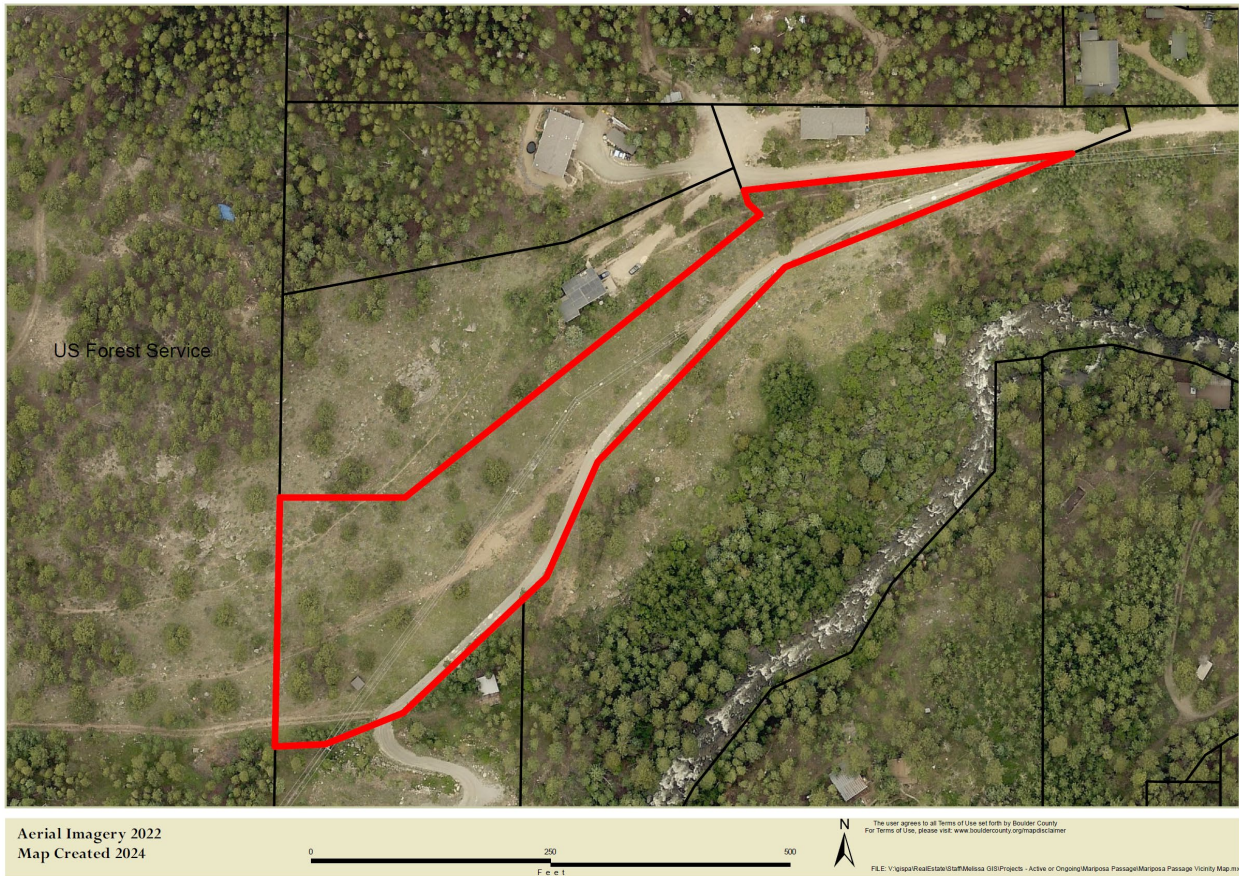


Close-Up Map

Mariposa Passage - Property Map



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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, April 25, 2024

TO: Parks & Open Space Advisory Committee
FROM: Melissa Arnold, Land Officer
AGENDA ITEM: Spruce Gulch Conservation Easement Acquisition
ACTION REQUESTED: Recommendation to the BOCC

For much longer than Parks & Open Space's history of stewarding open space, the land in this community has been important to diverse Indigenous communities that continue to live here. We are partnering with Indigenous people to make meaningful changes to how we do our work that include Indigenous people, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.

Summary

Boulder County proposes to acquire two conservation easements over approximately 493 acres owned by Linda Holubar Sanabria, for \$7,300,000. The property has an address of 1540 Lefthand Canyon Drive, is located approximately 1.3 miles west of the intersection of Lefthand Canyon Drive and State Highway 36 and is adjacent to Heil Valley Ranch open space. Staff supports this acquisition.

Background Information

Spruce Gulch includes approximately 1,800 feet of Lefthand Creek, a multitude of tributary streams, and foothill mountains reaching as high as 7,300 feet in elevation. It shares borders with Heil Valley Ranch open space, United States Forest Service land, a private property covered by a county-held conservation easement, and a few other privately owned parcels.

Spruce Gulch has been owned by the same family for almost 100 years. Linda's grandmother, Irma Freudenberg, acquired part of the property in 1927, along with other acreage that extended to Buckingham Park, totaling 500 acres. Irma and her two children Herman and Alice (Linda's mother) established what the family called Red Rock Ranch, with about 30 head of cattle, several horses, chickens, fields of alfalfa and wheat, and an apple orchard. Irma added onto the 1913 fieldstone house and excavated a gravity fed well near Spruce Gulch that still produces high quality domestic water. The house, equipment shed, milk house, chicken coop, bunk house, garage and root cellar still stand today. After Irma's death in 1959, the ranch was divided between Alice and Herman. Alice received the house and approximately 173 acres, and Herman received 300 acres reaching south to Buckingham Park. (When Herman died in 1985, his half-brother sold that land to a developer who subdivided it into nine 35-acre lots known as Eagle View Estates.)

In 1962, LeRoy Holubar (Linda's father), purchased an adjacent 320 acres, which, together with his wife Alice's 173 acres, created the 493-acre Spruce Gulch property as it is known today. (These 320 acres include the remnants of the 1800's homestead of Swiss immigrant Alfred Haldi, later owned by Bob Bruning, a blacksmith and minor who lived there his entire life.) Linda inherited Spruce Gulch in 1984. She has spent numerous hours personally eradicating acres of invasive weeds, and in 2001, she invited Tim Seastedt, a University of

Colorado professor emeritus, to use Spruce Gulch as his experimental site for biocontrol experiments. Tim assumed responsibility for weed control across the entire property and still leads graduate students in on-site ecological research studies.

Deal Terms

Boulder County will receive two conservation easements over the property: one over an approximately 10-16 acre 'House Lot' that the county will create and that will contain the existing residence; and one over an approximately 477- 483 acre 'Wildlife Reserve' that will retain one development right. The retained development right will be highly restrictive for uses solely related to scientific research and educational use, with no potential for residential use. As a result of this transaction, 12 out of 14 development rights will be extinguished from the property.

The House Lot conservation easement will limit the size of the residence and outbuildings and require that all structures be contained within an approximately 2-3 acre building envelope. The Wildlife Reserve conservation easement will limit the property to scientific research and educational use and require that all structures be contained within a 1-acre building envelope and not exceed 3,000 sq. ft. total, with no one structure exceeding 1,000 sq. ft.

After the conservation easements are in place, the landowner intends to gift the fee simple interest in the Wildlife Reserve to the University of Colorado (CU), to be used by student and faculty for continued scientific research and education. If CU should someday choose to divest itself of the Wildlife Reserve, CU must convey it to the county at no cost. Should the deal between the landowner and CU not go through, the county will have a right of first refusal on the fee simple interest in the Wildlife Reserve.

This transaction will be paid for with open space sales and use taxes, which Boulder County can only use for open space purposes.

Acquisition Summary

Acres	Water Rights	# Building Rights Removed	Price Per Acre	Water Right Value	Total Purchase Price
493	N/A	12	\$14,807/acre	N/A	\$7,300,000

- The landowner will retain two building rights, one each for the House Lot and Wildlife Reserve.

Mineral Rights

The landowner owns all the minerals associated with the property, and the conservation easements will prohibit mining.

A Phase I environmental assessment will be completed, and if the results show any mining hazards on the property, staff will notify the State of Colorado's Division of Mining, Reclamation and Safety for formal closure of those hazards.

Oil & Gas Leases

The property is not subject to an oil and gas lease.

Boulder County Comprehensive Plan Designations

The Boulder County Comprehensive Plan (Comp Plan) provides information about the area's agricultural, cultural, environmental, and other open space resources (including passive recreation, community buffers, and scenic viewsheds). Maps in the Comp Plan indicate the following designations of these resources near the property: South St. Vrain/Foothills Environmental Conservation Area; View Protection Corridor of 1.98 on a scale of 1-5 with 5 being the highest score possible; Lefthand Creek Riparian Area; Lefthand Palisades Critical Wildlife Habitat, Buckingham Park Hogback Natural Landmark, and North Boulder Grasslands High Biodiversity Area with a rating of B2 for very high biodiversity significance.

Potential Uses

The property will not be open to the public because it is privately owned. Although the county is acquiring a conservation easement interest over the property, the House Lot and Wildlife Reserve parcels will each remain in private ownership and will be managed by the respective landowner. The landowners' property uses will be restricted by the terms of their conservation easements, each of which are designed to protect the property's conservation values.

Staff Recommendation

Staff recommends approval. Boulder County identified this property as a priority acquisition over 20 years ago, and after years of conversation with the landowner, staff is excited that a deal has come together. This conservation easement acquisition will greatly assist Boulder County's efforts to preserve undeveloped land. Together with the surrounding protected lands, these conservation easements will maintain a large expanse of unfragmented habitat in the foothills ecosystem.

POSAC Action Requested

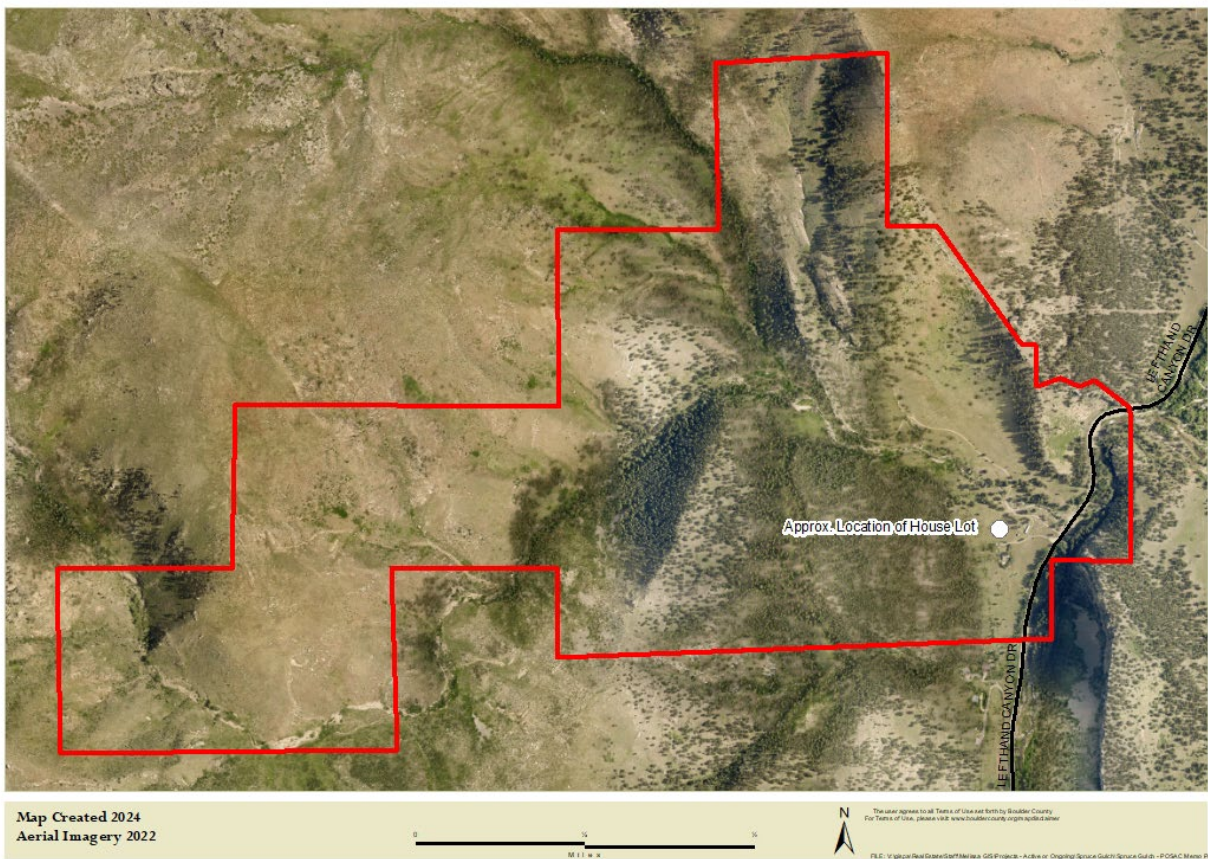
Recommendation to the Boulder County Commissioners for approval of the project as described above and as further described by staff at the POSAC meeting.

Suggested motion language: I move approval of the project as described above and as further described by staff in their presentation.

(see next pages for maps)

Close-Up Map

Spruce Gulch





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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, April 25, 2024

TO: Parks & Open Space Advisory Committee
FROM: Don Durso, Land Officer
AGENDA ITEM: Alexander Dawson-2024 United Power Easement Taking
ACTION REQUESTED: Recommendation to the BOCC

For much longer than Parks & Open Space's history of stewarding open space, the land in this community has been important to diverse Indigenous communities that continue to live here. We are partnering with Indigenous people to make meaningful changes to how we do our work that include Indigenous people, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.

Summary

United Power proposes to acquire a permanent non-exclusive easement over a portion of the Alexander Dawson open space property (the "Property") to provide more reliable electrical power in the area. Alexander Dawson open space is located on the west side of Highway 287, north and east of the Alexander Dawson School (please see the maps attached at the end of this memo). Because United Power has condemnation authority over Boulder County, staff supports granting this easement.

Background Information

United Power is planning an upgrade to the area's power delivery system. To accommodate this project, United Power is proposing to acquire a ten-foot wide by 636-foot-long easement, for a total area of 6,360 square feet (0.146 acres), along the north edge of the property, adjacent to the CDOT right of way for Highway 287.

United Power plans to bore subsurface from the CDOT right of way on the east of the Property and continue boring west until it reaches the Alexander Dawson School property. There will not be any above-ground installation, and the surface should not be disturbed.

Utility companies have condemnation authority over Boulder County, so the county is legally unable to prevent this project. Boulder County prefers to cooperate informally with entities with condemnation authority in these instances to negotiate fair compensation rather than a full formal condemnation process that is more costly and time-consuming for both parties. United Power is being cooperative in meeting staff's requests designed to protect natural resources as much as possible.

The county will be entitled to the proceeds for the value of the easement taking. United Power and the county will coordinate to protect and preserve the open space interests, minimize site disturbances, and provide reclamation standards to the extent practicable.

Value of Taking

United Power is required to provide just compensation for the taking. The county and United Power have negotiated \$2,555 for the permanent easement area, and the county believes this is an appropriate value.

Public Process

The terms of the resolution creating the sales tax that was used to purchase the property requires specific procedures be followed to dispose of this property, including adjacent property owner notification, newspaper notice, and a 60-day waiting period following county commissioner approval. All notice requirements of the resolution have been met. No comments on the proposal have been received as of the date of this memo. Any comments we receive after the date of this memo will be shared with POSAC at the meeting.

Staff Recommendation

Staff recommends the approval of the requested 0.146-acre easement to United Power.

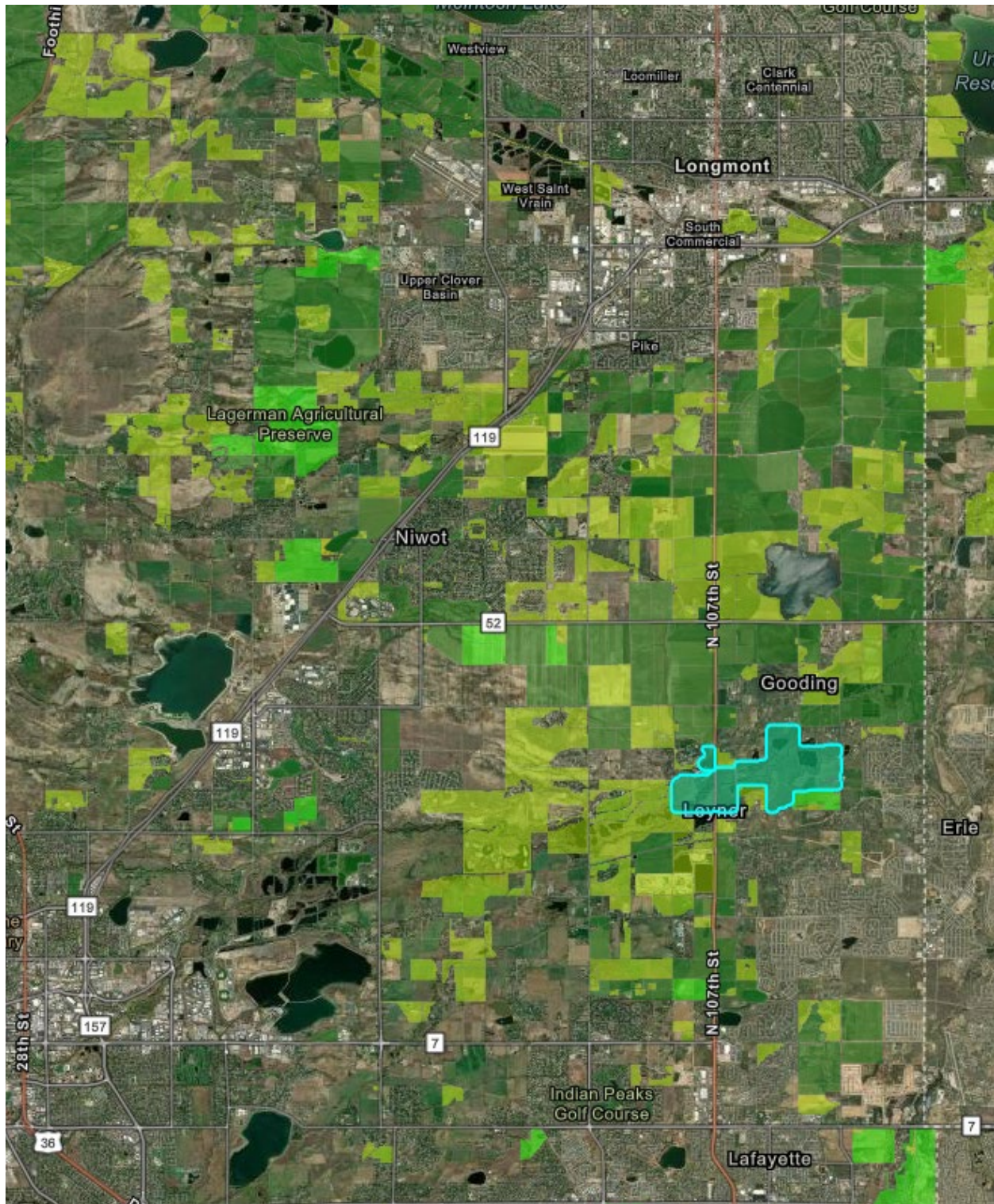
POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval of the disposition of the easement area as described above and as further described by staff at the POSAC meeting.

Suggested motion language: I move approval of the disposition of the easement as staff has described.

(see next pages for maps)

Vicinity Map



Close-Up Map





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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, April 25, 2024

Location: Boulder County Courthouse
1325 Pearl Street, Third Floor, Boulder

TO:	Parks & Open Space Advisory Committee
FROM/PRESENTER:	Susan Spaulding, Environmental Resources Specialist
AGENDA ITEM:	US Highway 36 Wildlife Crossing Project
ACTION REQUESTED:	Information Only

Introduction

The **US36 Wildlife Crossings Project** is being undertaken by BCPOS, with Community Planning and Permitting (CPP) collaboration related to the US36 Bikeway Feasibility Study/Project.

Why are we pursuing Wildlife Crossings on US36?

It has been a priority within the BCPOS Wildlife Program for many years to reduce vehicle related wildlife mortality, and increase human safety in Boulder County AND is in line with the following:

In April 2022, the Colorado Dept. of Transportation/Colorado Parks and Wildlife **Eastern Slope and Plains Wildlife Prioritization Study** (ESPWPS) was released. The objectives were to identify regional priorities needing actions to decrease wildlife-vehicle collisions on the State's highways.

- The section of **US36 between Boulder and Lyons (emphasis on Nelson Rd to Hygiene Rd)** was rated in the **top 5%**, and as the top ranked for actions in CDOT's Region 4.
- This ranking score is calculated based on modeling that includes Wildlife-Vehicle Collisions, deer/elk density of winter range use, deer/elk migration routes, and traffic volumes overall.
- The data from CDOT for the past 10 years documents that 235 animals were hit and killed along this stretch, including 3 bears, 103 deer, 68 elk, 1 lion, and 53 smaller animals including badgers, bobcats, prairie dogs, and foxes. (CDOT, 2013-2023)
 - The unfortunate caveat on these numbers is that wildlife crashes are up to 60% unreported, so unfortunately these numbers are much higher (Kintsch et al. 2021)
- Wildlife strikes along this corridor **average 3.2** animals per mile/per year which is more than 10 times higher than the rest of Boulder County, which **averages .26** strikes per mile/per year. (CDOT, 2018-2022).
- The **human cost** of wildlife collisions is significant. Each accident typically costs drivers \$11,100 in property damages, and injuries usually cost over \$101,000 (CDOT, Traffic and Safety Unit, 2022).

The BCPOS Red Hill Elk Management Plan outlines the objective to alleviate barriers to wildlife movement. BCPOS has earmarked \$150,000 out of Capital and Stewardship (CAST) Funds towards future wildlife crossings projects, as match towards design and/or implementation efforts. The Red Hill Elk Management Plan was created in collaboration with CPW and went through a thorough public process.

Current Funding Opportunities

To complete this project, we will need to pursue significant grant funding. Currently there are several federal and state grants available at this project scale:

Wildlife Crossings Pilot Program (WCPP)- funded at \$350 Million, has been established under the **Infrastructure Investment and Jobs Act** to provide grants for projects that seek to:

- Reduce the number of wildlife-vehicle collisions,
- Improve habitat connectivity for terrestrial and aquatic species.

America the Beautiful Grant (ATBC)- The National Fish and Wildlife Foundation (NFWF) has funded this grant at \$85 million annually to be awarded in support of conservation projects. This grant is aimed at the development of large-scale, locally led projects spanning public and private lands. Priorities include: Connecting and reconnecting wildlife corridors, large landscapes, watersheds, and seascapes.

Big Picture

In the past few years, elevated interest and emphasis is being placed on wildlife connectivity and safe crossings, including human safety. In fact, Colorado is one of only a few states that has completed statewide analyses of all highways related to wildlife-vehicle collisions. Some other Colorado high points are listed below:

Governors Initiative- Safe Crossings for Colorado Wildlife and Motorists Act-SB22-151- Provides \$5 million from the State's general fund specifically towards leveraging match for the FHWA WCPP Grant. This initiative also guides collaboration between CPW and CDOT which resulted in the 2018 establishment of the: **Colorado Wildlife and Transportation Alliance (CWTA)** to ensure safe and successful migration of wildlife species.

Governor's Proclamation of September 29, 2021, as 'Wildlife Habitat and Connectivity Day'.

SJR21-021- Colorado's legislature unanimously passed SJR21-021, June 2021, which recognizes the importance of wildlife corridors and connectivity.

Summary

We are working towards making this project a reality, and given the supporting reports, initiatives and funding opportunities, we are hopeful that we can achieve success with this large-scale, multi-partner, multi-departmental project. We will be conducting public outreach, beyond POSAC, over the next several months, in conjunction with our WCPP grant application process. We are working closely with CPP on their North Foothills Bikeway

Feasibility Study process and are ensuring that both projects are coordinated over time (one won't impact the other and vice versa). Both projects will 'leave room' for the other in designs.



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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, April 25, 2024

Location: Boulder County Courthouse
1325 Pearl Street, Third Floor, Boulder

TO:	Parks & Open Space Advisory Committee
FROM/PRESENTER:	Alexandra Phillips, County Bike Planner, Community Planning & Permitting
AGENDA ITEM:	US 36/North Foothills Bikeway Feasibility Study
ACTION REQUESTED:	Information Only

Introduction

North Foothills Highway between Boulder and Lyons is one of the most popular road segments in the county for cycling. Two of the reasons for its popularity are the undeveloped scenery and dramatic vistas, most of which are protected by the City of Boulder and Boulder County open space programs. The highway also provides access to several city and county trail systems through trailheads along, or in close proximity to, the road. The BCPOS Department has also supported and been involved in the development of the feasibility study because a bikeway along the highway could impact access to adjacent agricultural leases and irrigation features on county properties. Finally, since the North Foothills Highway corridor has the highest rate of significant vehicle crashes involving wildlife, the department wanted to coordinate the planning for the North Foothills Wildlife Crossing initiative along with the bikeway feasibility study. The safety and protection of all—motorists, cyclists, and wildlife—is a shared aspiration of both the bikeway study and the wildlife crossing initiative.

Purpose

US 36/North Foothills Highway is the location of the most cycling relating crashes in unincorporated Boulder County: 30% of all severe bicycle and pedestrian crashes (20 of 67) in unincorporated Boulder County from 2009 to 2018 occurred on US 36 (between Jay Road to intersection with CO 66). The majority of these crashes were caused by motorists leaving the travel lane, driving into the shoulder and crashing into cyclists. Separation of motorists and cyclists can greatly reduce bike/vehicle crashes. The bikeway would provide that separation.

Bikeway Feasibility Study

The County Transportation Master Plan identified this route for a multiuse path. The Denver Regional Council of Governments has identified the highway as a future Regional Active Transportation Corridor in its most recent Active Transportation Plan. The CDOT grant-funded study began in March 2023. Boulder County Parks and Open Space contributed \$15,000 to the local match for the \$400,000 grant.

Sections of the study area are adjacent to Parks and Open Space land. The study is being led by a steering committee with representatives from County Parks and Open Space. Susan Spaulding, Jeff Moline and Stefan Reinold are instrumental contributors. The other members

represent CDOT, City of Boulder Open Space and Mountain Parks, City of Boulder Transportation and Mobility, and the Town of Lyons. The committee and project are managed by County Community Planning & Permitting.

The major constraints of designing the bikeway are the steeply undulating topography, limitations of the existing CDOT right-of-way, and environmental resources. Due to these reasons, the alignment focused on the east side of the highway. The goal is to design a bikeway that:

- Is within CDOT right-of-way to the greatest extent possible
- Consists of a hard surface that is plowed in winter and maintained year-round
- Maximizes separation from US 36 vehicle lanes
- Uses guardrails, barriers and retaining walls when needed for separation when right-of-way is lacking.

POS staff support the conceptual alignment of the bikeway in the feasibility study. By keeping the bikeway on the east side of the highway and within the right-of-way for most of the route, its construction and use will have very minimal impacts to environmental resources and agricultural infrastructure. Additionally, POS and CP&P staff have been coordinating to ensure that the future bikeway will be compatible with future wildlife crossings. The Study outcome will be a final report that will include a right-of-way survey, environmental documentation, summary of public engagement, and conceptual bikeway alignments, estimated cost of construction and next steps.

Public Process

Members of the project team and steering committee have made informational presentations about the project to the City of Boulder Transportation Advisory Board and the Open Space and Mountain Parks Board of Trustees in February. Future Public Presentations include:

Remote (Zoom) public presentation 6 pm, April 16

In-person public presentation, Town of Lyons Library, 6 pm April 30

City of Boulder Transportation Advisory Board, June 10

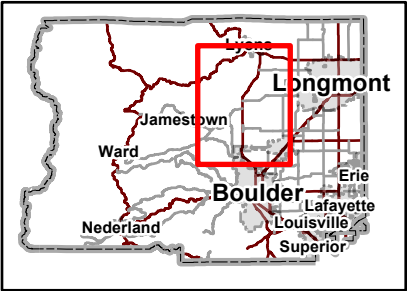
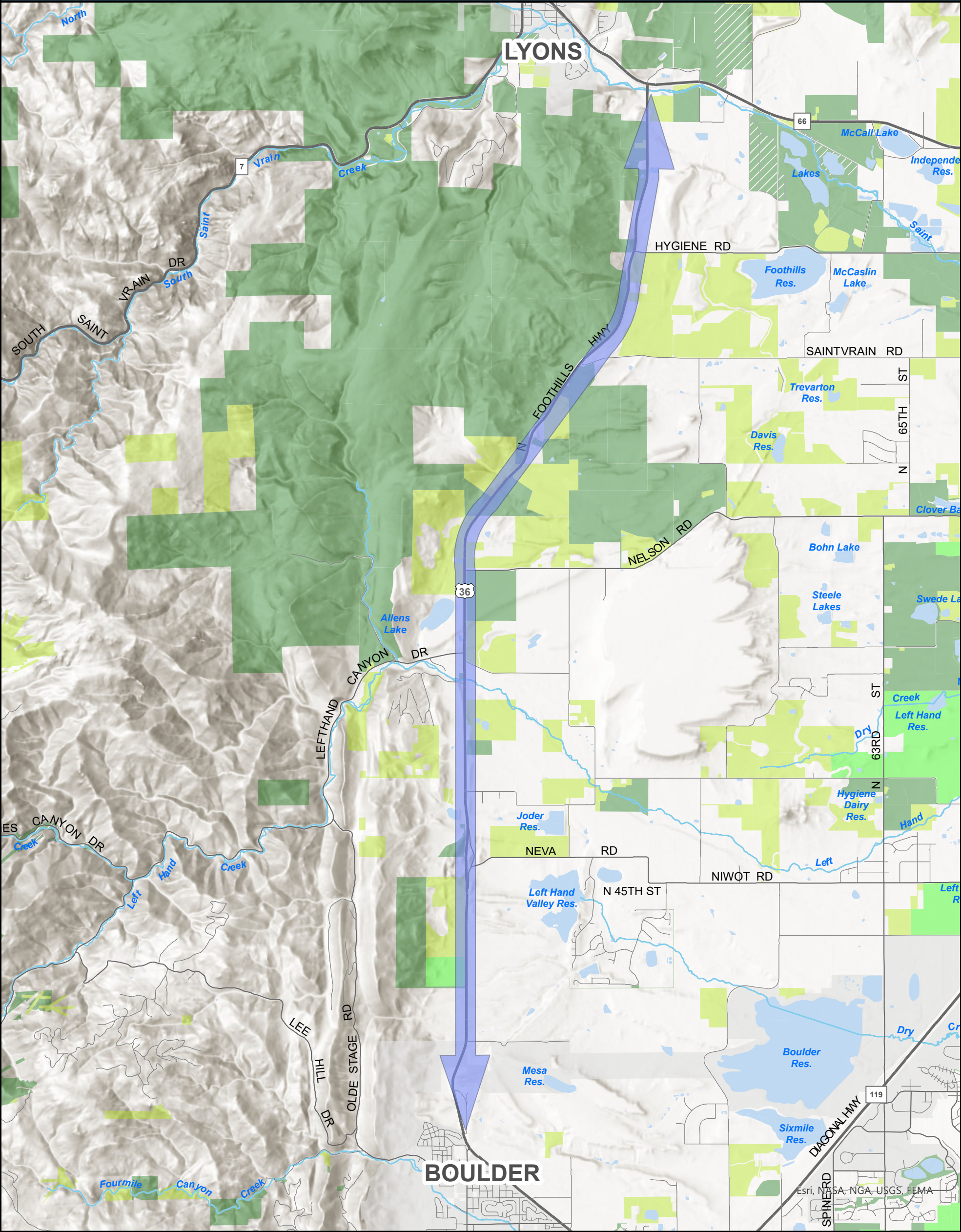
City of Boulder Open Space and Mountain Parks Board of Trustees, June 12

POSAC Action Requested

Staff is looking forward to the committee's feedback on the feasibility study

Attachments

- North Foothills Bikeway Feasibility Location Map
- North Foothills Bikeway Conceptual Alignment Map



Area of Detail
Date: 8/2/2023

- County Open Space
- Joint County and Municipal Open Space
- County Conservation Easement
- County Miscellaneous Easement
- Open Space Option
- Conservation Easement Option



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Miles

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North Foothills Bikeway Feasibility Study



Boulder County
Parks and
Open Space



City of Boulder
Open Space and
Mountain Parks

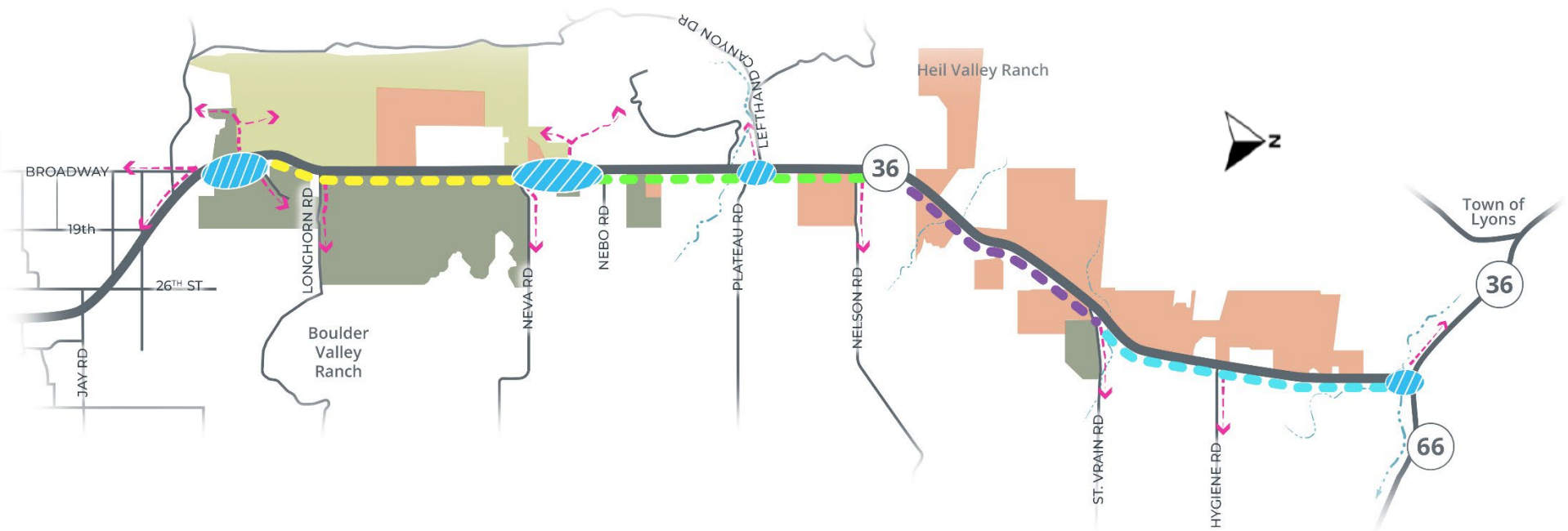


Open Space and Mountain
Parks - Habitat Conservation
Area managed land



Future Analysis Required:
conceptual alignments require
future analysis and more in-depth
study which was beyond the
scope of this feasibility study.

- Popular on road bike routes and trail connections
Creeks/Drainages
Segment 1
Segment 2
Segment 3
Segment 4





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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, April 25, 2024

Location: Boulder County Courthouse
1325 Pearl Street, Third Floor, Boulder

TO:	Parks & Open Space Advisory Committee
FROM/PRESENTER:	Susana Lopez-Baker, Housing & Human Services Dept. Mike Foster, Ag Division
AGENDA ITEM:	County-wide Housing Update
ACTION REQUESTED:	Information Only

At the Feb. 24 POSAC retreat, committee members initiated a discussion on opportunities to provide housing for agricultural employees as well as wanting to understand more broadly, what the county was doing to address the housing crisis.

Susana Lopez-Baker from the county's Housing & Human Services department will provide an overview on what the county is doing to address this issue and provide an opportunity for POSAC to ask questions. Additional presentation topics will include:

- The Boulder County Housing Authority and its portfolio
- The Supportive Housing Unit
- Housing Partnership and Policy Work
- The Mobile Home Community Program