



Sam Walker

Boulder County Planning and Permitting

Re: Docket RE-21-0001

To Whom it May Concern:

Thank you for allowing us the opportunity to comment on the Horst Estate docket. The original NUPUD is 40 years old now and regulations and conditions have changed, including new property ownership, county acquisition of adjacent lands north and west for open space, and adjacent lands to the east that have been annexed by Erie and converted to dense residential development. A stated intent of the new Horst Estates property owners is to create the 3rd lot believed reserved by the previous owners as part of the 1981 agreements with the county. The new 3rd lot would encompass the existing primary residence and ultimately create contiguity to the northeast with Erie's boundaries. That would provide an opportunity for the owners to gain annexation and connection to public utilities. The Town of Erie has indicated plans to zone the proposed lots 2 and 3 as Rural Residential which have a density of 1 residence per 2 acres. Lot 2 would be 1.01 acres in size on the interior of the property and contains one existing residence plus a large metal equipment shed. Lot 1 would remain the CE lot but be reduced in size from the existing.

The BVCD concerns involve the loss of 8.63 acres of nationally significant ag. land that has been preserved under a CE and in hay production since at least 1981 when the NUPUD was approved. The 1953 Marden Maps indicate this property had 30 acres of irrigated land and 10 acres of pasture at that time. Any loss of productive ag land being converted to residential development conflicts with the county's long-standing goals and policies regarding preservation and management of significant agricultural land.

The "Nationally Significant Ag Land" status of the property involves specific soil characteristics, slope, and availability of sufficient irrigation water for ag production in our dry climate. There is no mention of water rights associated with this property, whether owned or leased. A South Boulder Canyon Ditch lateral (1870 decree) crosses this property south to north from Prince Lake #2 toward similar ag land near Isabelle Road. Under this proposal water uses will likely remain status quo, at least until such time as annexation of lots 2 and 3 to Erie may result in land use changes. Most towns and cities along the Front Range require either owner water rights, or cash-in lieu, to be exchanged for municipal water taps. It appears the pond in the southwest corner of Lot 1 may have some connection to temporary storage of irrigation water. In addition to a new revised CE document, an evaluation of the water rights and current

irrigation systems covering the CE lot would be beneficial toward ensuring the most efficient use of the water that will remain with the property.

There is in excess of 325 acres of fee and CE county open space lands adjacent to the west and south of the Horst Estates property. These were strategic acquisitions to preserve significant ag land for ag uses, irrigation water to maintain ag productivity, preserve viewsheds along US 287, and buffer urban development between communities. The Horst Estates CE acreage is an important piece of that buffer and should remain as intact as possible. Any alterations that may be approved for this NUPUD replat should at the very least include a new revised CE that restricts any further development of all remaining ag. lands.

Regards,

*Vanessa McCracken*

Vanessa McCracken

Boulder Valley & Longmont Conservation Districts

District Manager