



## Parks & Open Space

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www.BoulderCountyOpenSpace.org

### BOCC PUBLIC HEARING

79

**TO:** Board of County Commissioners  
**FROM:** Aaron Clark, Land Officer  
**FOR:** BOCC Public Hearing, 11:30 a.m., Tuesday, September 12, 2023  
**RE:** Park Creek Acquisition  
**MEMO DATE:** 9/1/2023

*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 15.13 acres owned by Joshua Nehf, for \$280,000. The property has an address of 1850 Bunce School Road and is located near the intersection of County Road 92 and the Peak to Peak Highway. Staff supports this acquisition.

#### Background Information

The current owner acquired the property in 2016. There is a small cabin and accompanying shower house/outbuilding on the lot. The property is immediately adjacent to USFS lands to the west and south, and in close proximity to the Currie open space on the north. The Prescott open space is nearby to the west. The property contains approximately 350 feet of Park Creek, which crosses the property as it flows towards Cave Creek. This acquisition will be part of a contiguous area of conserved land that stretches to Rocky Mountain National Park.

#### 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 Bldg. Right	Water Right Value	Total Purchase Price
15.13	None	1	\$280,000	None	\$280,000

#### *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 the 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: The Ironclads B3 High Biodiversity Significance Area, Ceran St. Vrain B3 High Biodiversity Significance Area, Middle Saint Vrain Creek at Peaceful Valley B3 High Biodiversity Significance Area, Indian Peaks Environmental Conservation Area, South St. Vrain Foothills Environmental Conservation Area, View Protection Corridor (1.51, Jeep Road), Riparian Areas (Park Creek), and Significant Natural Communities.

**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 seasonal recreation. The property will be closed to public use closed for public safety until Parks & Open Space can secure or remove the cabin and outbuilding. The property will then be open to the public 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.

**POSAC Recommendation**

This matter was brought before POSAC at the public meeting on August 24<sup>th</sup>, 2023. POSAC voted unanimously to recommend the acquisition to the Board of County Commissioners.

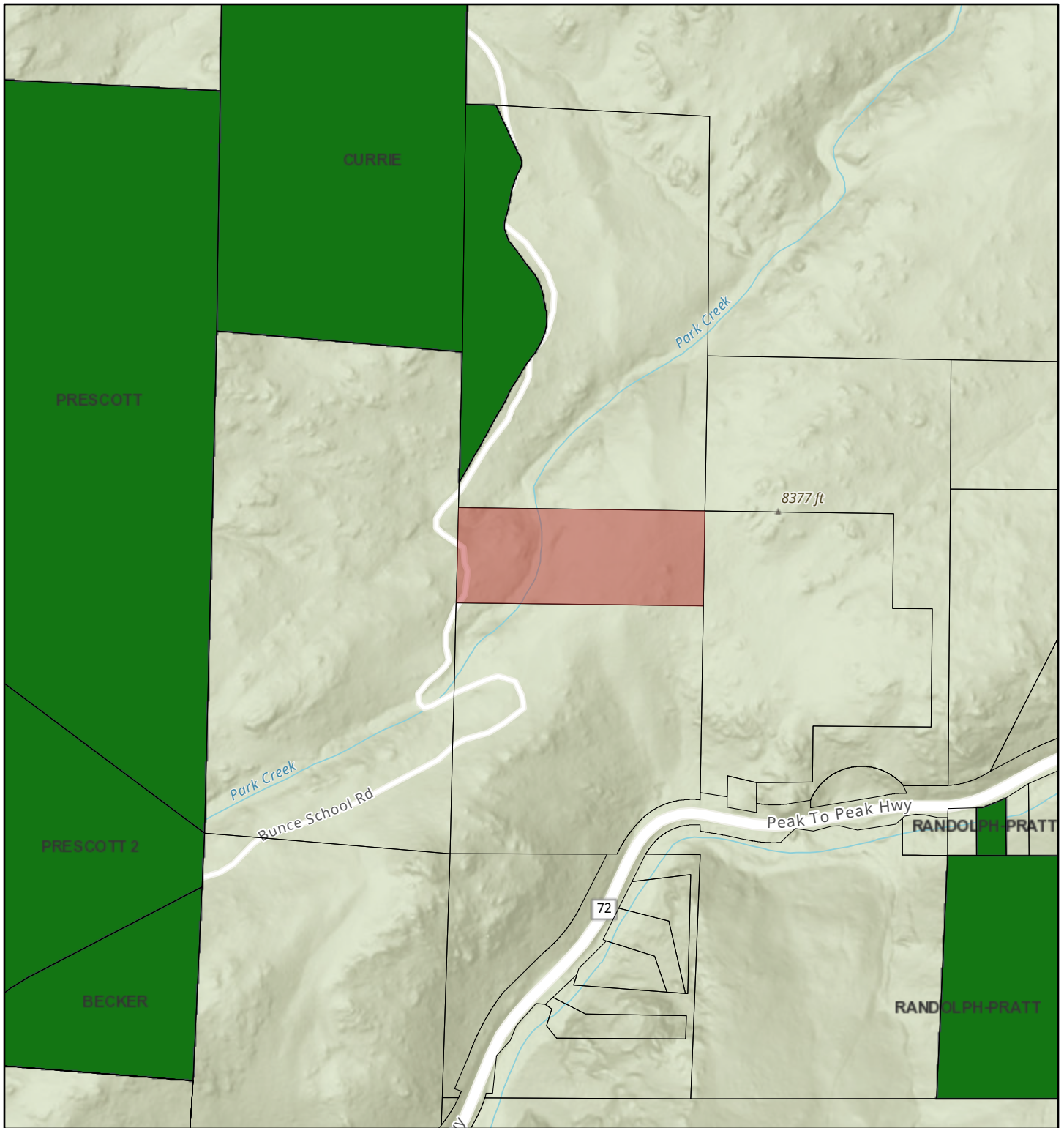
**Staff Recommendation**

Staff recommends approval. The property is a high priority for its proximity to both Boulder County open space and US Forest Service lands, together with its position between three High Biodiversity Areas, the quality of its natural resources and plant communities, its scenic attributes, and the opportunity to preserve a significant length of Park Creek.

**BOCC Action Requested**

Approve the request as described above and as presented by staff.

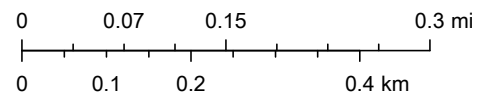
# Park Creek Acquisition



8/31/2023, 8:47:46 AM

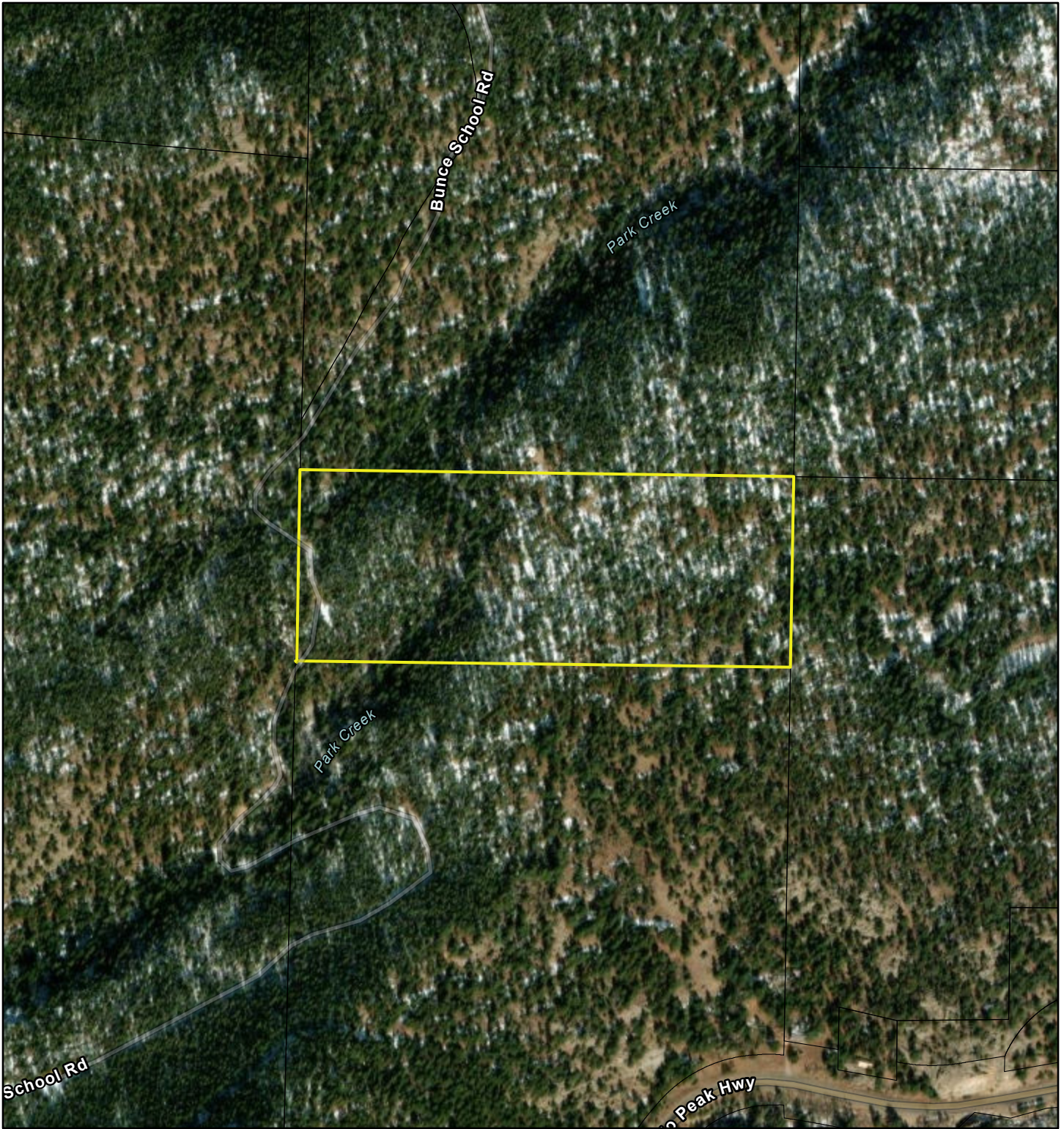
1:11,693

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



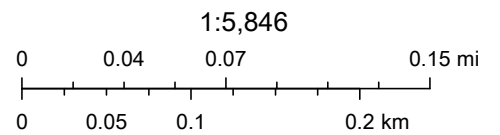
Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, Boulder County, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

# Park Creek Acquisition



8/31/2023, 8:56:21 AM

 BOCO Parcels



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**Certificate Of Completion**

Envelope Id: 7C5D3F01F0744ED5976298888FDFCD59	Status: Completed
Subject: Complete with DocuSign: BOCC Hearing Memo Park Creek 9.12.2023.pdf	
Type of Document: Other	
Department/Office: Parks and Open Space	
Source Envelope:	
Document Pages: 4	Signatures: 0
Certificate Pages: 1	Initials: 1
AutoNav: Enabled	Envelope Originator: Aaron Clark 2025 14th St Boulder, CO 80302 37742@bouldercounty.org IP Address: 97.107.70.37
Enveloped Stamping: Enabled	
Time Zone: (UTC-07:00) Mountain Time (US & Canada)	

**Record Tracking**

Status: Original 8/31/2023 9:04:08 AM	Holder: Aaron Clark 37742@bouldercounty.org	Location: DocuSign
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**Signer Events**

Signer Events	Signature	Timestamp
Therese Glowacki tglowacki@bouldercounty.org Director, Parks and Open Space Boulder County Security Level: Email, Account Authentication (None)	  Signature Adoption: Pre-selected Style Using IP Address: 97.107.70.37	Sent: 8/31/2023 9:05:33 AM Viewed: 8/31/2023 4:34:52 PM Signed: 8/31/2023 4:34:59 PM

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

**In Person Signer Events**

**Editor Delivery Events**

**Agent Delivery Events**

**Intermediary Delivery Events**

**Certified Delivery Events**

**Carbon Copy Events**

**Witness Events**

**Notary Events**

**Envelope Summary Events**

Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	8/31/2023 4:34:59 PM
Completed	Security Checked	8/31/2023 4:34:59 PM

**Payment Events**

Payment Events	Status	Timestamps
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