



# Parks & Open Space

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## PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, Nov. 16, 2023

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

<b>TO:</b>	Parks & Open Space Advisory Committee
<b>FROM/PRESENTER:</b>	Heidi Wagner, Resource Planning Manager Jeff Moline, Senior Planner Whitney May Taylor, Planner II
<b>AGENDA ITEM:</b>	<b>Final</b> East Boulder Creek Site Management Plan
<b>ACTION REQUESTED:</b>	Approval

### Introduction

Since the release of the draft East Boulder Creek (EBC) Site Management Plan last month, the public, POSAC, and staff have made comments on the plan. BCPOS strives to be responsive to public feedback and has made many changes to the plan accordingly. The major themes heard from the community are summarized below and a more detailed response is provided in Attachment 1, *Feedback from POSAC and public comment on the draft East Boulder Creek Plan*. Staff welcomes the public review of the final EBC plan and recommends approval by POSAC to the BOCC. The BOCC is scheduled to hear the plan for adoption at its Dec. 14, 2023, public hearing.

### Final Comments on Plan

During October, the department posted the draft plan on the EBC website and asked people to take a final survey which focused on the document itself. The survey received 229 total responses and it included questions using both a satisfaction scale as well as an open-ended format. Additionally, the department received letters from stakeholder groups and emails from residents with feedback. This feedback is not quantified in results from the online survey, but these additional comments echoed its major themes. The online survey results showed that over half the respondents felt the plan reflected their open space values (54% agreed or strongly agreed) and 15% were neutral. People that agreed with the plan stated their enthusiasm for the site to open, thought it provided an appropriate balance of wildlife protection and recreation, and supported the trails and trail connections. Of the respondents that disagreed or strongly disagreed (31%) the major reasons were the perceived lack of wildlife protections, the impact of trails on wildlife, a preference that the property remain closed to the public, and concerns about the location of the trailhead on N. 109<sup>th</sup> Street.

The plan document itself scored high in terms of its clarity for management actions (72% agreed or strongly agreed, while only 11% disagreed or strongly disagreed and 17% were neutral). Of those that agreed, most expressed that actions were well written and understandable. Of those that disagreed, the majority of the open-ended responses objected to the plan content itself (reflecting the disagreements above) rather than how the management actions were explained.

Lastly, respondents felt the look of the plan was effective (62% agreed or strongly agreed and 27% were neutral). Only 11% disagreed or strongly disagreed. Supporters thought the new document layout was effective, easy to read, and appreciated the use of pictures and graphics. Those that disagreed found some parts of the layout redundant or confusing, or restated their opposition to certain management actions.

Overall, staff interprets the results to show a mixed but overall supportive response for the plan itself, better support for the clarity of the management actions, and a positive reaction for the new look of the plan document.

### Support

In addition to the major themes described above, staff heard many other voices in support of the plan. People appreciated that the plan is going to allow them to visit this publicly owned site and its beautiful features and views. They are excited that the trail alignments course through the properties and provide connections to Erie's system. In particular, some mentioned that they will appreciate visiting the area safely via trails instead of driving, walking, or biking on roads to reach it. They liked that trails will be along streams in places as well and that open water will be accessible and that the area will preserve the environmental features. There were respondents who supported the plan because it balanced the variety of values and others who like the opportunity for exercise and chances to be outdoors for mental and physical wellness. People also liked that the plan supported agricultural producers.

### Do Not Support

In the first attachment of this memo, staff has summarized and responded to the major themes heard from POSAC and the public on certain components of the plan that did not receive support. Three of these issues warrant detailed discussion and explanation: 1) the trailhead location on N. 109<sup>th</sup> Street; 2) non-motorized use of the stacked ponds; and 3) the trail north of Kenosha Wetlands (Critical Wildlife Habitat #65).

1. Trailhead location on N. 109<sup>th</sup> Street.
  - a. To respond to neighbor concerns, at the time of this memo, BCPOS staff is researching the potential of using Jasper Road instead of N. 109<sup>th</sup> Street to access the trailhead. The Boulder Creek floodway and wetlands limit the possible location for a trailhead in the southwest section of EBC. This trailhead is important for facilitating access to the southwest section of the site and it could be a part of a future connection to the Boulder to Erie Regional Trail (BERT). Staff has consulted with the Public Works and Community Planning & Permitting Departments as well as our Ranger staff to guide and inform responses to neighbor concerns.
2. Non-motorized use of the stacked ponds.
  - a. At the October POSAC meeting, committee members expressed concern with allowing non-motorized access to the stacked ponds. Staff would like to retain the management action as written in the draft plan that allows for exploration of this use. Non-motorized watercraft access was the second-most frequent user request in the most recent BCPOS community survey and staff feels that it is important to explore this opportunity accordingly.
3. Trail north of Kenosha Wetlands (Critical Wildlife Habitat #65).
  - a. The trail system was designed with the collaboration and consensus of management planning staff including a wildlife biologist. The trail loop does

not enter the wildlife habitat. BCPOS has provided trails in appropriate locations near and in critical wildlife habitats at open space properties such as Carolyn Holmberg Preserve at Rock Creek Farm, Walden Ponds, and Two Creeks. Because trails at these parks have been appropriately designed and screened, their construction and use has not resulted in significant environmental impacts including wildlife declines. Using this successful strategy, this plan proposes using best practices such as screening, physical barriers, regulatory signage, and enforcement to protect the critical wildlife habitat from impacts due to trail users. In turn, visitors will benefit from the trail—the connection to nature, the opportunity to enjoy bird watching, and the chance to learn, through interpretive programming, the importance of staying on trail and out of closed areas.

### Conclusion

In an attempt to hear and co-create the EBC plan with the community, the department conducted three rounds of public feedback and provided multiple opportunities for the public to visit EBC and share their ideas. Additionally, staff referenced past visitor surveys, the Cultural Responsiveness and Inclusion Strategic Plan, and Use Preferences and Visitor Experiences of those Experiencing Disabilities to understand community needs. This input is woven throughout the plan, and readers can see it reflected through the star symbol next to management actions that reflect the voice of the community. Additionally, staff made changes to the plan based on comments received during the draft release and has clarified reasoning and justification for complex management actions that are not universally supported by community members. BCPOS believes the plan reflects a balance of values expressed by the community and that each goal in the department’s mission is successfully met with the proposed management actions in the plan.

The Town of Erie Parks and Recreation Department supports the plan and will be working with the department on critical trail connections that will integrate EBC into the regional trail network including the Coal Creek Trail and the future Boulder-Erie Regional Trail.

Staff is respectfully recommending approval of the East Boulder Creek Management Plan from POSAC to the BOCC.

### **POSAC Action Requested**

Recommend the Board of County Commissioners approve this final draft of the East Boulder Creek Site Management Plan.

### Attachments:

1. Feedback from POSAC and public comment on the draft East Boulder Creek Plan
2. [Link to the Final East Boulder Creek Site Management Plan, Appendix A, Appendix B](#)

Feedback from POSAC and public comment period on draft East Boulder Creek Plan

Category	Theme Identified	Public	POSAC	BCPOS Response
<i>Document edits</i>	Unnecessary redundancy in maps		X	Map numbers simplified and duplicates removed.
<i>Document edits</i>	Map legends are inaccurate		X	Corrected.
<i>Document edits</i>	Documents needs proofreading, language simplification		X	Plan has been proofread by a professional proofreader for grammar, plain language, and will be reviewed for accessibility (HB 21-1110) after finalization.
<i>Document edits</i>	Confusion with prioritization as it relates to BCPOS goals	X		Further explanation of document layout provided, including how the plan is aligned with BCPOS goals.
<i>Document edits</i>	Wildlife closures indicated in Goal 2 were not shown in Goal 5 maps	X		Corrected.
<i>Document edits</i>	Need a map showing the whole EBC site and trail connections between NE and SW sections.	X		BCPOS is not showing these connections because we are currently working on an Intergovernmental Agreement with the Town of Erie to develop these connections. Staff added language in the management action explaining the connection of the southwest section to the northeast section and additionally clarity in the key of the map for Goal 5.
<i>Visitor use</i>	Move nature play area and shelter to the west side of where the concrete trail splits to west-east adjacent to Boulder Creek (northeast map).		X	Done. Moving the shelter and nature play to the other side of the trail moves the use further away from Kenosha Wetlands and provides connectivity between the stacked ponds and the creek.
<i>Visitor Use</i>	Do not open EBC to people/recreation	X		EBC is a damaged but recovering landscape, this plan has a focus and emphasis on restoration and enhancing riparian habitat. The mission, ballot language, and county comprehensive plan guide the direction of the department. Recreation on land owned by BCPOS is “where appropriate” and this plan has attempted to craft the careful balance required to welcome a community to connect with nature while minimizing the impact to wildlife and natural resources.
<i>Visitor Use</i>	How will we ensure wildlife protection for Kenosha Wetlands (Critical Wildlife Habitat #65) with trail on the north side?	X		The trail on the north side of Kenosha Wetlands does not enter the critical wildlife habitat and is similar to experiences at Carolyn Holmberg Preserve at Rock Creek Farm, Walden Pond, and Two Creeks where trails occur near or in critical wildlife habitats. With appropriate screening, closures, and trail design, impacts to

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				the habitat can be minimized as illustrated on these properties. EBC is proposing utilizing the natural topography, screening, and moving the trail away from the critical wildlife habitat to cross Coal Creek to minimize impacts to the critical habitat. Additionally, fencing, signage and other barriers will be used as needed to prevent encroachment. The trail design and mitigation tactics were designed with wildlife staff and the entire management planning team is unanimous in the trail recommendation.
<i>Visitor Use</i>	How will we ensure dogs stay on-leash?	X	X	Rangers have expressed confidence in enforcing on leash rules. BCPOS has high compliance rates overall with 97% compliance in 2020, 93% in 2021, and 95% in 2022 (according to Annual Visitation Report 2022). Additionally, fencing will be installed throughout the site to prevent people, dogs, and cattle from entering riparian areas adjacent to Coal and Boulder creeks.
<i>Visitor Use</i>	Extend trail where it terminates north of Kenosha (Northeast map symbol 10, page 37) south to connect with Kenosha Rd	X		Trail connectivity has been provided at the Kenosha trailhead and at the trail connections adjacent to Coal Creek (map symbols 14 and 15). Topography and wetlands would make an additional connection from 10 to the road challenging. Dead-ending the trail at 10 is also helpful for those that want a quieter experience because it is not a through-trail.
<i>Visitor use</i>	Remove “investigate ability to support kayaking/paddleboarding” in stacked ponds		X	BCPOS staff respectfully is asking to retain the management action as written to allow for investigation into the allowance of non-motorized watercraft uses. Kayaking and paddleboarding were the second most frequently requested recreational uses of the community in the second phase of public engagement. If non-motorized use can be supported, we are proposing to connect the stacked ponds (without triggering augmentation regulations) to provide more area to paddle.
<i>Visitor Use</i>	Do not want trailhead on 109 <sup>th</sup> <ul style="list-style-type: none"> <li>• Current road conditions will not support increased traffic.</li> <li>• Road is used by residents for walking with strollers, dogs, family bike rides, etc.</li> </ul>	X		BCPOS has heard the concerns of the neighbors and is considering options for the access point to the trailhead. There is no other place to locate the trailhead due to the floodway and wetlands that covers the majority of EBC in this area. The only area with road frontage in the southwest section without these limitations is

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	<p>and would be unsafe if traffic increased.</p> <ul style="list-style-type: none"> <li>• When Hwy 287 or other roads close for accidents, their road becomes the cut-through road and people speed significantly, drive down middle of road.</li> <li>• Dust is already an issue from the existing road, and they fear it'll get worse.</li> <li>• It'll ruin the rural feel of the area and fear it'll decrease house values.</li> <li>• People won't park at the trailhead; they'll use the side of the road to access the creek like they always have.</li> <li>• How were the neighbors notified about the trailhead/I didn't know about this.</li> </ul>			<p>on 119<sup>th</sup> St, which is very close to the proposed trailhead on Kenosha making the location redundant. BCPOS supports numerous trailheads throughout the county adjacent to neighbors, such as Anne U. White and Stearns Lake, and has not seen the issues manifest that are the primary concern of the neighbors. The trailhead is located to facilitate important future regional connections to the BERT trail and the rest of the system on the southwest section of EBC. Removing the trailhead would severely limit access to the southwest section of EBC; this would be especially true for community members with disabilities. In BCPOS, 2020 survey "Use Preferences and Visitor Experiences of People with Disabilities on Parks &amp; Open Space" the parking area was ranked as the most important feature that facilitate access to open space. BCPOS has worked closely with Public Works to understand the implications of the trailhead and offers the following:</p> <ul style="list-style-type: none"> <li>• 109<sup>th</sup> is a gravel road and maintained by Public Works. Regular maintenance will increase should road conditions warrant.</li> <li>• It is the responsibility of drivers to yield right-of-way to pedestrians. Law enforcement should be contacted if a driver is breaking the law. With the implementation of the EBC plan, trails will also be available for residents to walk on instead of the gravel road.</li> <li>• It is outside the scope of this plan to respond to the closures of Hwy 287.</li> <li>• Public Works performs dust suppression as part of regular maintenance.</li> <li>• Many other communities have trailheads near private property, such as Pella and Walden Ponds. Nearby residents have not seen a change in the rural feel or a decrease in property values.</li> <li>• According to Rangers, the majority of visitors use trailhead parking. The public is allowed to park along 109<sup>th</sup> as long as they don't block driveways or other access points. Per Public Works,</li> </ul>
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				<p>parking along county roads is permitted unless signed otherwise. Public Works does not support “no parking” signs for 109<sup>th</sup> at this time. Additionally, they state that a gravel road serves as a traffic calming measure and there are no plans to pave 109<sup>th</sup>.</p> <ul style="list-style-type: none"> <li>Neighbors were notified about the EBC plan via four separate mailings. BCPOS runs a 1500-foot buffer from all property lines and neighbors receive notice to their mailing address on file with the Assessor. Neighbors received mailings in January (Phase I survey open), May (Site visit dates and Phase II survey), June (New site visit dates and Phase II survey), and October (draft plan release, public comment survey).</li> </ul>
<i>Visitor Use</i>	No trails along riparian coordinators	X		<p>BCPOS recognizes the importance of riparian habitat to wildlife. Access to water from an accessible trail was the number 1 desire of the community during outreach. BCPOS has prioritized protection of the riparian corridor by ensuring only a small portion of the trail system is adjacent to water. Out of the 26,689 feet of proposed trail, 4,161 feet is within 200 feet of a creek, representing 16% of the total length of the trail system. Additionally, the vision for the preservation of the Boulder Creek corridor for wildlife is in conjunction with our partners, such as City of Boulder, who has preserved 7 miles of the corridor. This was illustrated at the recent POSAC field trip on 10/25/2023 to visit the City of Boulders restoration and Boulder County’s restoration of Lower Boulder Creek. Allowing a small portion to be accessed by the public is an important part of building a connection to nature and supporting land conservation.</p>
<i>Visitor Use</i>	Does BCPOS have enough Rangers to patrol EBC?	X		<p>Rangers already patrol East Boulder Creek. They will increase patrols when EBC opens to orient visitors to regulations. BCPOS will recruit more Ranger volunteers to assist as well.</p>
<i>Wildlife</i>	What measures will be taken if heronry moves to a location that needs additional protection?	X		<p>The original heronry site on EBC, which is not currently occupied, has been retained and protected should the heronry move back to that location. There aren't many other trees in this area that have reached the size to support</p>

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				a heronry. If they do move to a different location (other than the old location), it would probably be off EBC.
<i>Wildlife</i>	How will we address raptor nest/trails within nest buffers, esp. during seasonal closures? ie: nest on SE corner of NE map/trail along Coal Creek?	X		This is an active Swainson's hawk nest, and the location shifts frequently. If this nest is still there when the trail is built BCPOS would implement seasonal closures per best practices.
<i>Wildlife</i>	How will BCPOS manage the osprey nest near Kenosha TH?	X		The osprey nest is currently on top of an active utility pole; nests located on utility infrastructure are relocated by utility companies to protect utility infrastructure. Osprey can be moved fairly easily, and BCPOS will be working with the utility company to move the nest to a safer location.
<i>Wildlife</i>	Trails can diminish bald eagle long-term use. How has this concern been considered in this plan?	X		The Bald Eagle is on the west side of Hwy 287, staff recommended early on to not open this area to the public as is reflected in the plan. There are multiple bald eagle nests within a few miles of the one located on EBC. Bald Eagles are broad species that adapts and will hunt when people aren't there, hunt on Wittemeyer, other private landscapes, or closed areas of EBC.
<i>Wildlife</i>	If wildlife monitoring reveals negative impacts, will actions be taken to reverse/mitigate?	X		If the data shows negative impacts, BCPOS will practice adaptive management as we do on all our properties. Trail re-routes, opportunities to scale back impact in certain areas, and seasonal closures are common practices. Monitoring follows management and results will inform management to make an appropriate decision based on data and species.
<i>Wildlife</i>	The plan states 20 species are of special concern in the county. Are those 20 species typically found only in the proposed closed critical habitat areas or are there any that fall out of those areas? How does Boulder County anticipate protecting/addressing those that don't exclusively use those closed habitat areas?	X		BCPOS can provide the species list, but we don't share the data per our sensitive data policy. The species of special concern do not have critical habitat on EBC. These are species we're trying to keep common and occur in many other places throughout the landscape.

Comments received from email and public survey on Draft EBC Plan Open from 10/11/23 - 10/29/23 and POSAC meeting on 10/26/2023.



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