



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: 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.

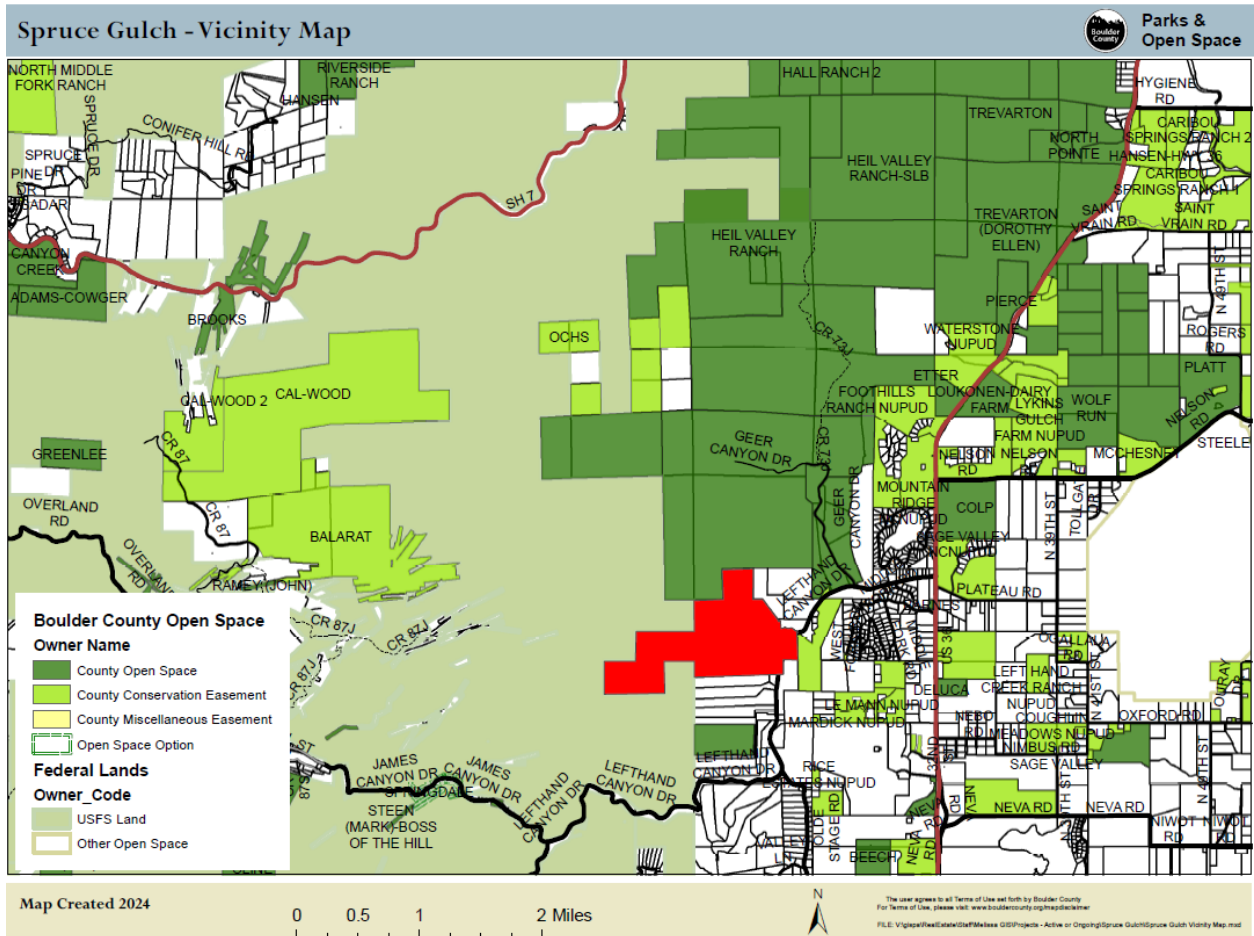
POSAC Action Requested

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.

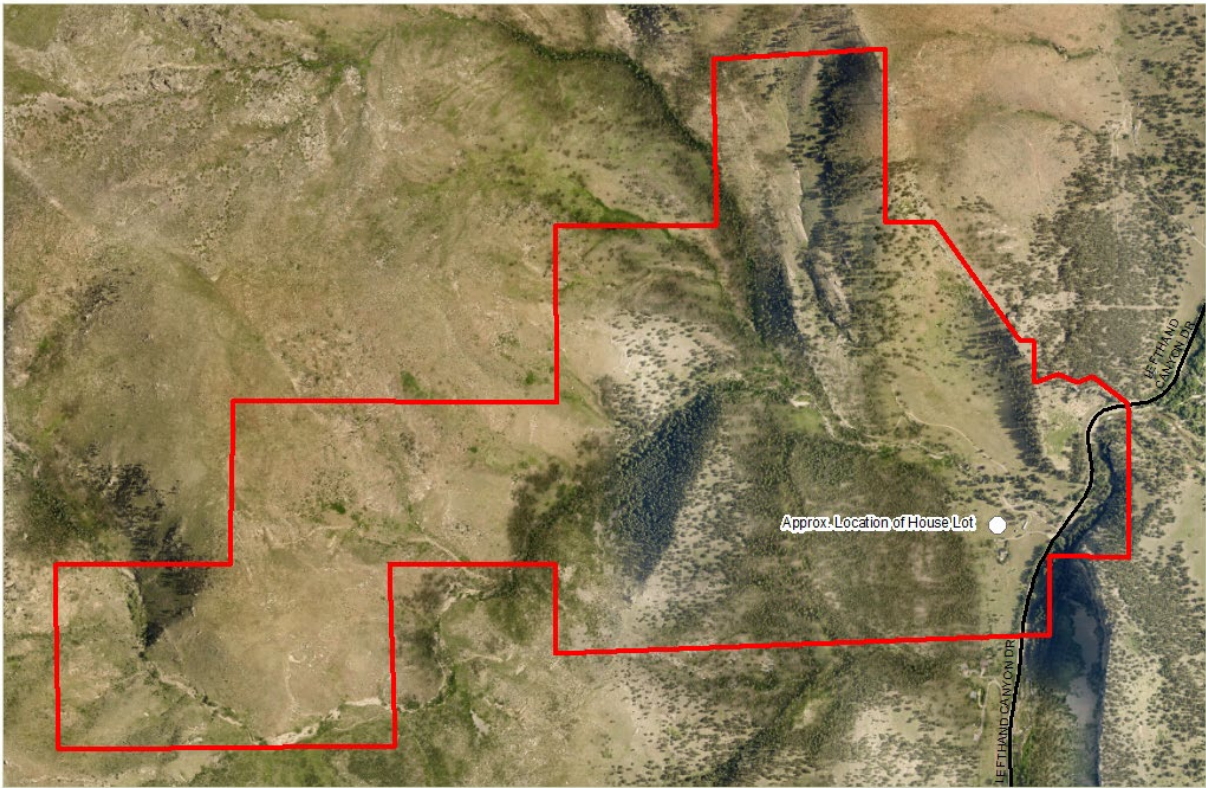
(see next pages for maps)

Vicinity Map



Close-Up Map

Spruce Gulch



Map Created 2024
Aerial Imagery 2022



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