

# **Boulder to Erie Regional Trail (BERT) Plan**

## **Agency Documents & Public Comments**

**This packet includes:**

- **City of Boulder Open Space Board of Trustees (OSBT) documents**

The BERT Plan was presented to the OSBT on Sept 11, 2024

- **OSBT Motion regarding the BERT Plan**
- **OSMP Staff memo and attachments**
- **Public Comments sent to OSBT ahead of the BERT Hearing**

- **Town of Erie Open Space Trails Advisory Board (OSTAB) – Letter of Support**

The BERT Plan was presented to the OSTAB on Sept 9, 2024

- **Public comment and letters** – The BERT Plan and Appendices are posted on the project webpage for the public to review. The public comment period was open September 6 – 25, 2024.

- **Emails sent directly to the Board of County Commissioners**



**CITY OF BOULDER  
OPEN SPACE BOARD OF TRUSTEES AGENDA ITEM**

**MEETING DATE: September 11, 2024**

**AGENDA TITLE**

Public Hearing and Board consideration of a motion on the preferred alignment for further consideration and continued collaboration with Boulder County on the Boulder to Erie Regional Trail (BERT).

**PRESENTER/S**

Dan Burke, Director, Open Space and Mountain Parks  
Lauren Kilcoyne, Deputy Director of Central Services  
Kacey French, Planning and Design Senior Manager  
Juliet Bonnell, Planner

**Open Space Board of Trustees (OSBT)'s motion:**

Brady Robinson moved the Open Space Board of Trustees to make the following motion:

- 1) Recognizing the benefits related to safety, trail experience, and adjacent property considerations the OSBT supports Alignment 1b as the preferred alignment for further consideration of a multi-use trail connection between Boulder and Erie.
- 2) Recognizing the potential impacts of the preferred alignment to the adjacent OSMP lands with high ecological values, the OSBT also supports consultation with Colorado Parks and Wildlife and other experts on management recommendations for Alignment 1b to protect sensitive and protected species and to minimize impacts on trail users.
- 3) The OSBT supports the department's continued collaboration with Boulder County on the potential next phase of the project as determined by the Boulder County Board of Commissioners including but not limited to further analysis, design and exploring ways to minimize impacts to adjacent OSMP lands with high ecological value and sensitive resources.

Michelle Estrella seconded. **This motion passed unanimously.**



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**EXECUTIVE SUMMARY**

This memo provides an update on the Boulder to Erie Regional Trail (BERT) planning process. The goal of this planning effort is to identify and evaluate conceptual alignment(s) and identify a preferred alignment for further consideration for an east-west multi-use trail connection between Boulder and Erie. The process started in 2019 and is being led by Boulder County's Community Planning & Permitting Department and supported by a consultant team (CDR and Associates, ERO, and Otak). Boulder County staff and the consultant team are collectively referred to as the Boulder County project team in this memo. (Open Space and Mountain Parks is not on the Boulder County project team).



This trail connection has been identified in several county and city plans: The Boulder County Transportation Plan, Boulder Valley Comprehensive Plan (BVCP) and the Open Space and Mountain Parks (OSMP) Visitor Master Plan (VMP) and as such is an important collaborative effort for the City of Boulder and OSMP. Regional trail initiatives continue to be of community interest as they contribute to visitor experience, trail connectivity, wellness and improve the

quality of life in our community. They also help meet the city’s Climate Commitment goal by reducing the number of vehicle miles traveled to reach local trails, in turn helping to preserve the ecosystems and habitats that make up OSMP. The OSMP Master Plan guides staff participation in these collaborative projects by envisioning a connected network of local and regional trails (outcome RRSE.E), defining a strategy that encourages multimodal access to trailheads and leverages regional trail partnerships (strategy RRSE.4 and RRSE.7), and addressing the global climate crisis here and now (EHR. 3).

OSMP has participated throughout this process and provided input as part of the interagency Steering Committee that also includes representatives from eight other departments and/or organizations. OSMP additionally coordinated regarding the consideration of and process related to alternatives on and adjacent to OSMP land.

Alignment 1b, (shown in **Attachment A – Conceptual Alignments**) the conceptual alignment for further consideration identified by the Boulder County project team is fully located within the Regional Transportation District’s (RTD) Right of Way (ROW). While the alignment is not on OSMP lands, a portion of the alignment is adjacent to OSMP lands (often on both sides). This alignment was selected because of the benefits related to safety, the trail user experience, and adjacent property considerations. There are also significant concerns for the high value ecological resources on adjacent OSMP lands within the Lower Boulder Creek Habitat Conservation Area (HCA) a portion of which are also designated as a State Natural Area – White Rocks Colorado State Natural Area. **Attachments B** shows OSMP lands adjacent to 1b and the other conceptual alignments and **Attachment C** shows the OSMP Management Area Designations.

The Boulder County Board of Commissioners (BOCC) hold the decision-making authority in regards to approving and/or applying any conditions for approval. Since Alignment 1b is not on OSMP lands City approval is not required. A motion is being requested by the Open Space Board of Trustees (OSBT) to provide input into the Commissioners deliberations and decision and to serve as a record and guidance for future OSMP and OSBT participation.

**STAFF RECOMMENDATION - MOTION DID NOT PASS**

Staff requests the Open Space Board of Trustees make the following motion:

- 1) Recognizing the benefits related to safety, trail experience, and adjacent property considerations the OSBT supports Alignment 1b as the preferred alignment for further consideration of a multi-use trail connection between Boulder and Erie.
- 2) Recognizing the impacts of the preferred alignment to the adjacent OSMP lands with high ecological values the OSBT also supports a commitment to follow Colorado Parks and Wildlife current and any future management recommendations for Alignment 1b for the continued protection of sensitive and protected species.
- 3) The OSBT would also support further exploration of the easements, ROW acquisitions, negotiations, and costs associated with Alignment 2 along Valmont if an effort to pursue the most environmentally favorable way to complete this connection is pursued.
- 4) The OSBT supports the department’s continued collaboration with Boulder County on the potential next phase of the project as determined by the Boulder County Board of Commissioners including but not limited to further analysis, design and exploring ways to minimize impacts to adjacent OSMP lands with high ecological value and sensitive resources.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- Economic – Support of continued collaboration on the next phase of the BERT project would eventually lead to improved regional connectivity to the City of Boulder and its open space land system helping to support the city and county’s quality of life, attracts visitors, and helps businesses to recruit and retain quality employees.
- Environmental and Social – a full analysis of these impacts is below in the Alternatives Analysis and Matrix of Options and OSMP Ecological Context and Analysis Sections.

## **OTHER IMPACTS**

- Fiscal – The planning phase of this project has been funded by Boulder County’s Community Planning & Permitting Department and they will work to identify funding sources for future analysis, design, permitting and construction phases of this project.
- Staff time – Staff time spent coordinating with the Boulder County project team on the evaluation of conceptual alignment(s) and identification of the BERT preferred alignment for further consideration is part of normally allocated staff time for OSMP staff as would staff time spent continuing to collaborate with Boulder County on the potential next phase of the project.

## **PROCESS AND PUBLIC COMMENT**

The BERT planning process and community engagement is being led by the Boulder County project team. The Draft BERT Plan (pgs. 12-19) contains a comprehensive description of the process and engagement.

### **Project Overview**

When the BERT project began in 2019 it looked exclusively at locating a trail within the RTD ROW with an initial goal to complete the planning process in 2021. The project scope and timeline were expanded in June 2021 to address the need for additional analysis of environmental and wildlife impacts, consideration of additional route options outside the RTD rail corridor, and engagement with Native American Tribes and community members.

There were seven phases of the project:

1. Project Kick Off & Initial Data Collection (Spring 2019 – Summer 2020)
2. Potential Alignments Study (Fall 2020 – Spring 2021)
3. Additional Data Collection & Project Partnerships (Summer 2021 – Fall 2022)
4. Evaluation Criteria (Winter 2022 – Spring 2023)
5. Conceptual Alignments Development (Summer 2023)
6. Alignments for Further Consideration Evaluation, Selection, & Refinement; (Fall 2023 – Spring 2024) and
7. Final Plan (Summer 2024)

### **Steering Committee and OSMP Input**

OSMP participated as a member of the interagency Steering Committee which met five times throughout the process. The role of the Steering Committee was to 1) Provide technical and political input during the process and 2) provide input into the selection of a preferred trail alignment for further consideration. The member organizations include:

- Boulder County Community Planning & Permitting
- Boulder County Public Works
- Boulder County Parks & Open Space
- City of Boulder Transportation & Mobility
- City of Boulder Open Space and Mountain Parks

- Colorado Parks & Wildlife (CPW)
- Town of Erie
- Regional Transportation District (RTD)
- Colorado Department of Transportation (CDOT)

While OSMP participated in all the planning phases, there were times in the process where OSMP's participation was accentuated. OSMP coordinated with Boulder County on a Memorandum of Understanding (MOU) to outline a process for the inclusion and consideration of alternatives on OSMP lands, outside of the RTD rail corridor (phase 3). OSMP also worked closely with the Boulder County project team on the evaluation criteria and rating of the alignments (phase 4 and 5). Upon Boulder County's identification of 1b as the alignment for further consideration (phase 6) and recognizing the adjacent high value ecological OSMP lands which support a high density of nests for sensitive and federally protected species OSMP, CPW and the Boulder County project team held additional meetings to discuss concerns, guidelines, requirements, and other approaches for their protection.

### **Other Stakeholder and Public Engagement**

The Boulder County project team offered three public engagement opportunities:

- Engagement Opportunity 1 was an online opportunity in August 2020. The objectives were to inform the public on the project status and alignment options and obtain input on the alignments and other various project issues.
- Engagement Opportunity 2 was an in-person meeting in September 2023. The objectives were to share updates, outcomes of previous steps, clarify next steps, and share and collect feedback on the conceptual alignments.
- Engagement Opportunity 3 was an in-person open house on August 29, 2024. The objectives were to share an overview of the project, the preferred alignment for further consideration and opportunities to review and provide comments on the plan between September 5-25.

The Boulder County project team also administered a statistically valid online survey of a representative sample of households in Boulder and Erie in November 2023.

The community engagement also included:

- a Community Working Group which consisted of members from various local advocacy groups,
- targeted adjacent Property Ownership engagement to ensure impacted and adjacent communities had an opportunity to participate, and
- Native American outreach including to tribal nations with known interests in the project area.

Input from these engagement opportunities was considered by the Boulder County project team in selecting the preferred alignment for further consideration. Key takeaways from the input are shared below in the Analysis section of this memo.

### **OSBT Engagement**

The OSBT has received the following updates on the project:

- Written Information [June 3, 2020 OSBT meeting packet](#) (pages 205-210) that the project was proceeding.
- April 2021 email update that the project's timeline was extended for Boulder County to do additional analysis and engagement.

- April 2022 email update that the project’s scope was to be expanded at the direction of Boulder County Board of Commissioners to explore route options outside the RTD ROW to address potential natural resource impacts and concerns, though the additional areas to be explored were not yet defined.
- Written Information [December 14, 2022 OSBT packet](#) (pages 40-45), informing the board on the additional route options outside of the ROW for consideration and the corresponding process.
- January 2023 email update on an updated project timeline.
- August 2023 email update about an upcoming BERT community meeting and OSMP staff’s collaboration with Boulder County on the development of the evaluation criteria that would be used to evaluate the corridors and to select conceptual alignment(s) for further consideration.
- March 2024 email update on the timeline and that staff anticipated providing an update to OSBT on the evaluation and the conceptual alignment(s) for further consideration in late summer 2024.

### **ALTERNATIVES ANALYSIS and MATRIX OF OPTIONS**

Through the process three conceptual alignments were identified for evaluation. **Attachment A** shows and describes the alignments.

#### **Technical Evaluation**

The three conceptual alignments were evaluated using evaluation considerations in eight evaluation categories. Alignments received a rating of “highly favorable”, “favorable”, “neutral”, “unfavorable”, or “highly unfavorable” for each of the evaluation considerations. A list of evaluation considerations and ratings for each conceptual alignment are shown in **Attachment D** and can also be found on page ~~92-93~~ **96-97** of the BERT Plan. More information on the ratings, including the reasons and context can be found in pages ~~70-91~~ **72 - 95** of the BERT plan.

To help compare alignments, an additional analysis of assigning numerical values to the ratings was also completed and can be found on pages ~~108-111~~ **112-115** of the BERT Plan. Recognizing that each of the eight evaluation categories are equally and all important, yet some of the categories had more considerations due to the complexity of the category, this analysis focused on balancing out that unintentional weighting.

The table below shows the alignment ratings for the broader evaluation categories – where the ratings for the evaluation considerations were rolled up.

EVALUATION CATEGORIES	Conceptual Alignment 1a- RTD ROW with minimal railbed crossovers	Conceptual Alignment 1b- RTD ROW with railbed potential	Conceptual Alignment 2- Valmont	Conceptual Alignment 3- OSMP Property
Safety				
Ecological Resources				
Cultural Resources				
Agricultural Resources				
Implementation				
Maintenance				
Adjacent Property Considerations				
Trail User Experience				

KEY	Highly Favorable	Favorable	Neutral	Unfavorable	Highly Unfavorable

In summary:

- All alignments involve tradeoffs between the considerations.
- All alignments ranked favorably for Cultural Resources.
- 1a and 1b ranked:
  - highly favorably or favorably for Safety, Adjacent Property Considerations, and Trail User Experience
  - neutral for Agricultural Resources, Implementation and Maintenance
  - highly unfavorably for Ecological Resources.
- Alignment 2 ranked:
  - favorably for ecological resources
  - neutral for trail user experience
  - unfavorably or highly unfavorably for Safety, Agricultural Resources, Maintenance, Implementation, and Adjacent Property Considerations
- Alignment 3 ranked:
  - favorably for Safety and Trail User Experience
  - highly unfavorably for Ecological Resources and with the most concerns
  - highly unfavorably or unfavorably for Agricultural Resources and Implementation, Maintenance and Adjacent Property Considerations

**Public Steering Committee and Stakeholder Input Analysis**

The Boulder County project team identified the following key takeaways (pg. ~~114 and 115~~ 108-109 of the BERT Plan) from their public input which primarily came from the statistically valid survey, notes and input gathered from public meetings, Community Working Group sessions, email and written feedback.

- Based on the statistically valid residential survey which received close to 500 responses:

- 93% of respondents indicated their intent to use the BERT
- 52% of respondents indicated their intent to use the trail 1-4 days per week
- Safety, specifically separation of trail and roads, emerged as a top priority
- Environmental concerns along with a desire to reduce impacts were also consistently highlighted as a priority
- Other significant considerations included:
  - A desire for a quick implementation timeline
  - A direct route
  - Minimal impacts on private property; and
  - Opportunities to enjoy scenic views.

The Boulder County project team identified the following key takeaways from the Steering Committee and other stakeholder input which was primarily taken from comments, notes, and written feedback from Steering Committee meetings and additional partner reviews and discussion.

- A strong desire to minimize environmental impacts.
- The safety of a trail separated from the road emerged a priority for most stakeholder groups
- Other values included:
  - Feasibility
  - Directness of route; and
  - Connectivity

Additional summaries of public, steering committee, and stakeholder input can be found on the following pages of the BERT plan:

- Pgs. ~~32-33~~ 34-35 Summary of input on the Evaluation Criteria development
- Pgs. ~~38-39~~ 40-41 Summary of input on the Initial Conceptual Alignments
- Pgs. ~~52-53~~ 54-55 Summary of input on the Refined Initial Conceptual Alignments
- Pgs. ~~54-67~~ 58-70 Survey Results
- Pgs. ~~102-107~~ 106 -111 Overall Summary of Public, Survey, and Stakeholder input

### **Preferred Alignment for Further Consideration Selection**

The Boulder County project team selected the preferred alignment for further consideration, the RTD ROW Alignment 1B taking into consideration the results of the technical evaluation, and public, steering committee and stakeholder input.

As shared in the executive summary and recommended motion language OSMP supports Alignment 1b as the preferred alignment for further consideration recognizing the alignment's safety, trail experience, and adjacent property benefits. Also recognizing the significant ecological values and concerns, OSMP supports a commitment to minimize impacts to these valuable and sensitive resources by following CPW's current and future management recommendations for Alignment 1b for the continued protection of federally protected and sensitive species.

### **OSMP ECOLOGICAL CONTEXT and ANALYSIS**

Alignment 1b was rated highly unfavorably for ecological resources. The evaluation considerations that comprise the ecological evaluation category are Fragmentation of Designated Habitat caused by BERT, Wetlands, Threatened & Endangered or Species of Management Interest Habitat, Introduction of Invasive Species, and Floodplains/Floodplains Resource

Management. The ratings for the ecological considerations including more on the reasons and context can be found in **Attachment D**.

### **OSMP Context**

**Attachments B and C** show alignment 1B in the context of OSMP lands. OSMP has adjacent land for approximately nine and a half miles or 59% of 1b, the preferred alignment for further consideration. A large portion of those lands, 32% have high ecological values as illustrated by their designation as Habitat Conservation Areas (HCA), more specifically the Lower Boulder Creek HCA.

An HCA designation does not preclude trails or visitation and there is already one designated trail, the White Rocks Trail, in the Lower Boulder Creek HCA. When trails are considered for inclusion within HCAs, extensive consideration is typically given to their location and management in order to minimize impacts to sensitive resources. This is why OSMP continues to support a commitment to follow CPW's current and future management recommendations which are developed for the continued protection of sensitive and protected species, and which currently include seasonal trail closures.

### **Raptor Requirements and Recommendation Process**

The United States Fish and Wildlife Service (USFWS) establishes the requirements for the protection of federally protected species<sup>1</sup>. Recommendations to apply these federal requirements and identification of any other recommendations for the protection of locally sensitive species is provided by CPW. CPW uses established state standards<sup>2</sup> as a starting point, then confers with local land management agencies regarding site-specific characteristics to develop location specific recommendations. OSMP has a long history of working with and applying CPW recommendations and USFWS requirements for the protection of sensitive wildlife on OSMP lands. As a best practice OSMP follows CPW recommendations and supports this continued commitment.

While consultation with CPW and USFWS is typically done closer to construction, in this case a preliminary consultation was done earlier with CPW so that all agencies and decision makers could gain a shared understanding of CPW recommended protections and the potential that CPW's future recommendations for Alignment 1b may include seasonal closures or other limitations due to the high density of nests along the corridor.

### **Raptor Recommendations**

In the vicinity of the RTD ROW, Alignment 1b there are 23 nesting sites for federally protected and sensitive species: four Bald Eagle, ten Red-Tailed Hawk, three Northern Harrier, four Osprey and two Great Blue Heron Rookeries.

After analyzing the site-specific characteristics including distance from the proposed trail, level of disturbance, and nest activity, CPW is currently recommending no surface occupancy within ¼ mile of all eagle nests and seasonal trail closures for seven of the nesting sites. More details on the closures are below:

- two Bald Eagle nests. (Dec. 1 – July 31) No new human use within ½ mile buffer of the nests during seasonal closure. No seasonal closures are recommended for the other two nests due to the amount of existing disturbance.

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<sup>1</sup> Endangered Species Act (1973) Bald and Golden Eagle protection act (1940) All birds and their nests are protected under the Migratory Bird Treaty Act (1918).

<sup>2</sup> CPW raptor Buffer Guidelines (2020)

- two Red-tailed hawk nests. (Feb. 15-July 15) No human use within 1/3 mile buffer of the nests during seasonal closure. These seasonal closures are recommended due to the extreme proximity of these two nests to the proposed trail and documented cases in Colorado of red-tailed hawks attacking people in defense of their nests.
- three Osprey nests. (March 15 – August 15) No human use within ¼ mile buffer during seasonal closure.
- one Great Blue Heron Rookery. (March 15 – August 15) No human use within 300 meters during seasonal closure

A map of their current recommendations can be found in **Attachment E**. CPW's letter of recommendations and subsequent email clarifications/additions can be found in **Attachment F**. As with all wildlife closures on OSMP, they are lifted early if nests are not successful.

ERO, a consulting firm that is a part of the Boulder County project team, also did an evaluation and provided their recommendations for the protection of nesting raptors. Their full report can be found in Appendix G of the BERT Plan. In it they analyzed site-specific characteristics using distance from the proposed trail, level of existing disturbance, an evaluation of territory, presence of visual screening, and a tiered and/or tailored buffer approach to develop recommendations for the preferred alignment, 1b. ERO's recommendations do not include seasonal trail closures. They recommend a ¼ mile buffer for the Bald Eagle nests and the use of existing and additional visual screening/plantings to minimize impacts where the potential trail encroaches into the ¼ mile buffers for the three Osprey nests and the 300-meter buffer for the Great Blue Heron Rookery. A map of their recommendations can be found in **Attachment G**. Boulder County staff are not making recommendations around this topic in this planning process. The Boulder County project team is proposing to explore minimization strategies with CPW and OSMP in the next design phase of the project but have not yet outlined what specific management actions will be taken related to CPW's recommendations.

OSMP commented on the ERO report (all comments can also be seen in Appendix G of the BERT plan). OSMP believes ERO's evaluation and conclusion that seasonal closures are not needed is inconsistent with the department's overall approach to wildlife protection. ERO's conclusions rest strongly on the effectiveness of proposed vegetation screening. OSMP has concerns about the characterization of current vegetative screening, much of which are non-native species that are planned to be removed as per the lower Boulder Creek restoration project. OSMP also has concerns around the feasibility of establishing tree/shrubs at the scale and height required to provide satisfactory visual screening of the trail from the nests, and their overall effectiveness in mitigating potential human disturbance. ERO's approach emphasizes protecting a nesting territory rather than individual nest sites and they conclude breeding territories provide numerous other trees and abundant opportunities to select alternative nest sites. This management approach does not align with Federal regulatory frameworks and CPW's and OSMP's nest specific guidelines and approach for wildlife habitat protection. Given the importance OSMP places on protecting wildlife OSMP is requesting a motion in this planning process around a commitment to follow CPW's recommendations.

Given the obvious impacts to the visitor experience and trail functionality if seasonal trail closures are implemented would also support further exploration of the easements, ROW acquisitions, negotiations, and costs associated with Alignment 2 along Valmont if an effort to pursue the most environmentally favorable way to complete this connection is pursued and/or recommended.

## **NEXT STEPS**

### **Short Term**

The OSBT is one of four boards where the BERT plan and/or preferred alignment for further consideration is an agenda item. The Erie Open Space and Trails Advisory Board meeting is on Monday September 9. The Boulder County Parks and Open Space Advisory Committee meeting is on Thursday September 26. The Boulder County Board of Commissioners Hearing will be Thursday, October 10 from 1-4 pm. The Boulder County Board of Commissioners hold the decision-making authority in regards to approving and/or applying any conditions for approval.

### **Long Term**

The BERT Plan planning process is an important step in the consideration of a trail between Boulder and Erie. However, it is not the only step or the last step. There are additional phases in the process that will be required before a trail is constructed.

Following completion of this planning phase of the project and approval of a preferred alignment funding sources and potential phasing will be identified, and engineering design will begin with environmental, cultural, topographic, and geotechnical surveys. Throughout the potential process, Boulder County will work on obtaining all the necessary approvals and permitting. It is possible that the trail could be built in sections as funding allows.

Pending approvals OSMP will continue to collaborate with Boulder County on the potential next phase of the project as determined by the Boulder County Board of Commissioners including but not limited to further analysis, design and exploring ways to minimize impacts to adjacent OSMP lands with high ecological value and sensitive resources.

### **ATTACHMENTS:**

- **Attachment A:** BERT Conceptual Alignments
- **Attachment B:** BERT Conceptual Alignments in relation to OSMP lands
- **Attachment C:** BERT Conceptual Alignments in relation to OSMP Management Area Designations
- **Attachment D:** Evaluation Considerations and Ratings
- **Attachment E:** Map of CPW Raptor Recommendations
- **Attachment F:** CPW Raptor Recommendations
- **Attachment G:** Maps of ERO Raptor Recommendations with Buffer Context

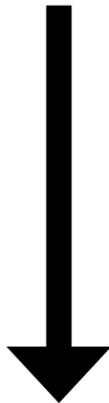
# INITIAL CONCEPTUAL ALIGNMENTS REFINEMENT

Going into the connectivity workshop all of the corridors seen below in the top diagram were on the table for discussion: the RTD ROW (pink line), Valmont/Isabelle roads (yellow line), and the additional routes agreed upon for inclusion on OSMP property (white dashed lines). Based on discussion during the workshop, those corridors were narrowed down into the three conceptual alignments (green, purple, and teal lines) and two Hwy 287 crossing options (black dashed line) shown in the bottom diagram below.

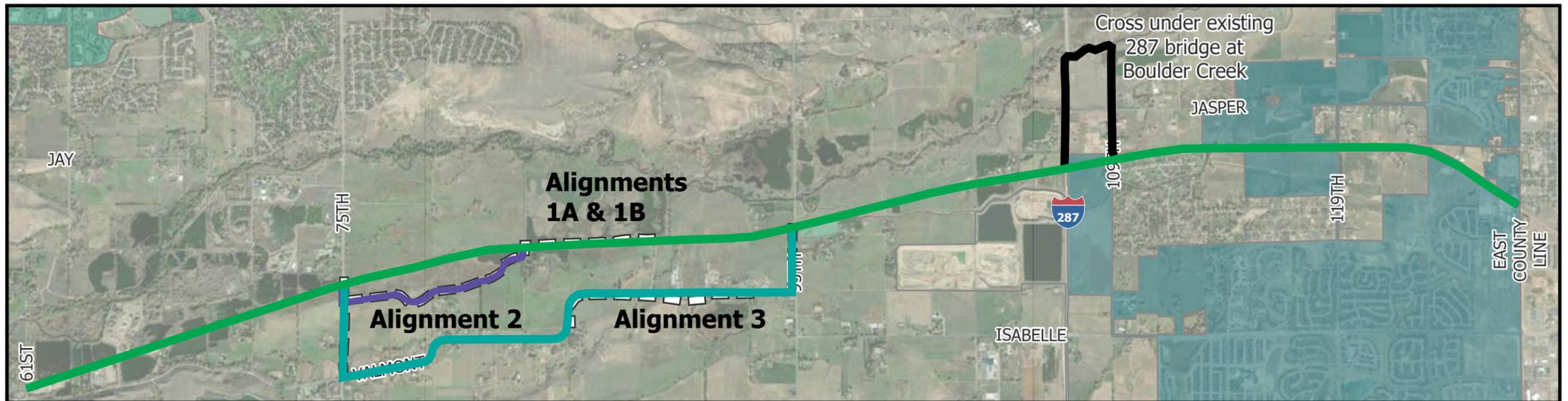
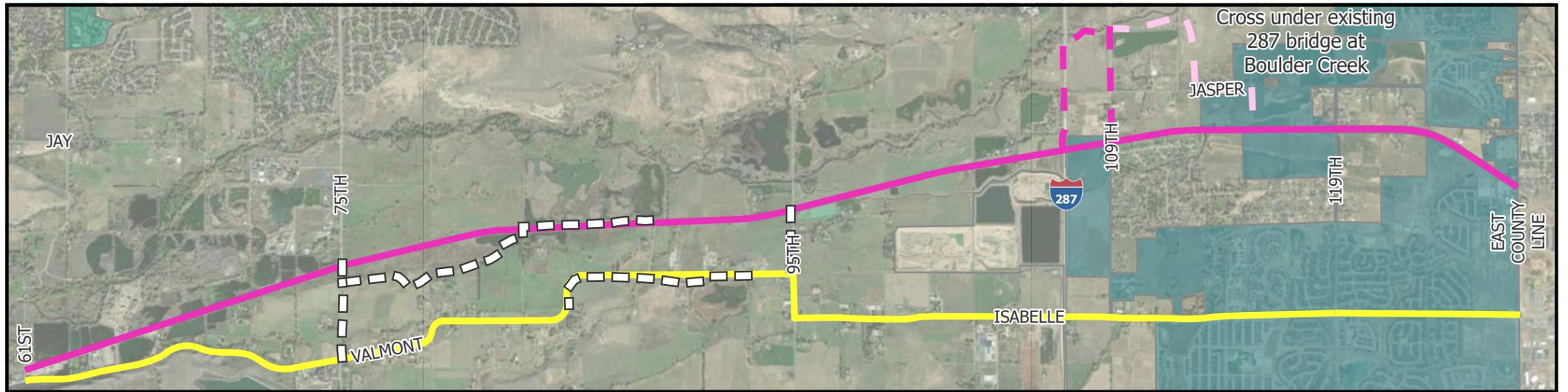
These three conceptual alignments can be seen in more detail on the following pages.

## Alignments for Further Consideration Based on Connectivity Workshop

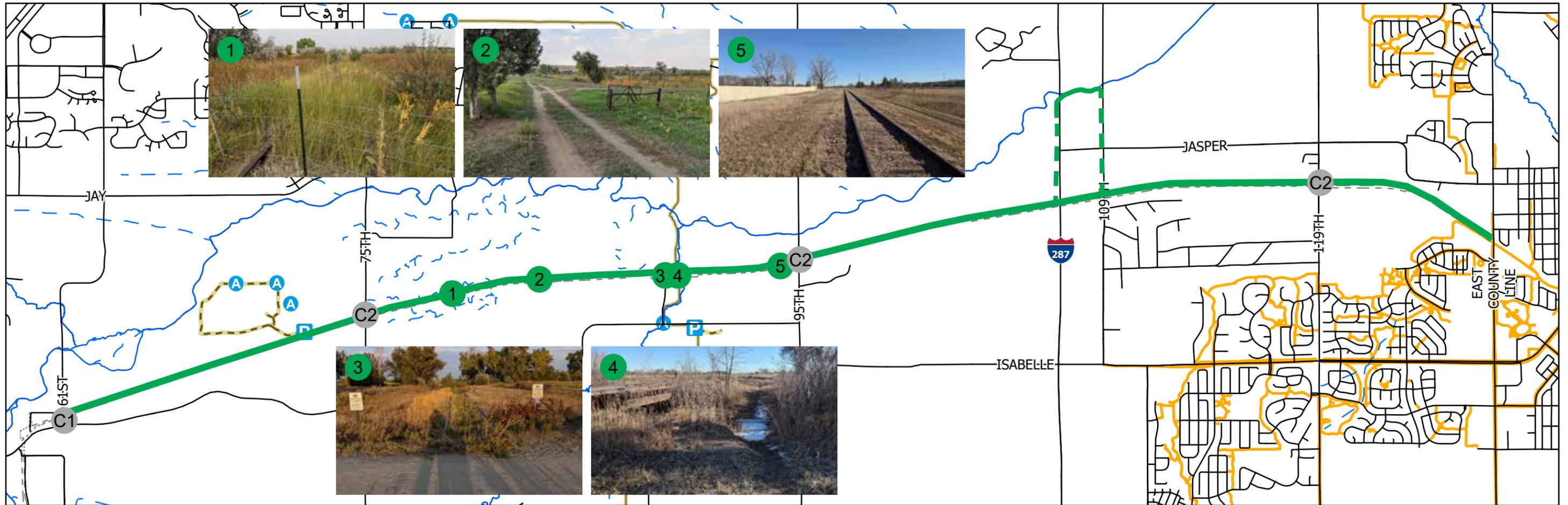
All Corridors



3 Conceptual Alignments & 2 Hwy 287 Crossing Options



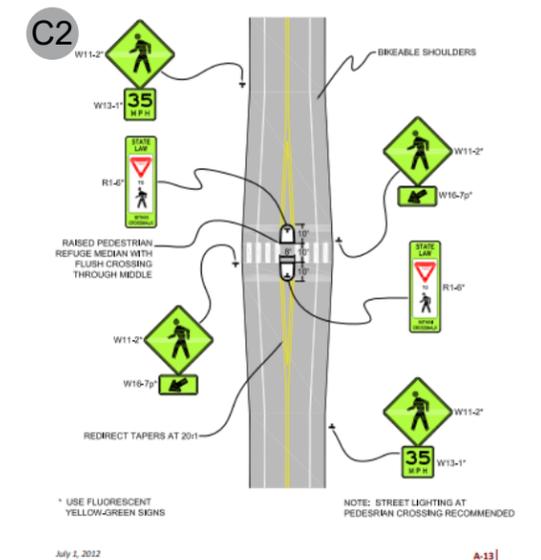
# RTD ROW ALIGNMENTS (1A & 1B)



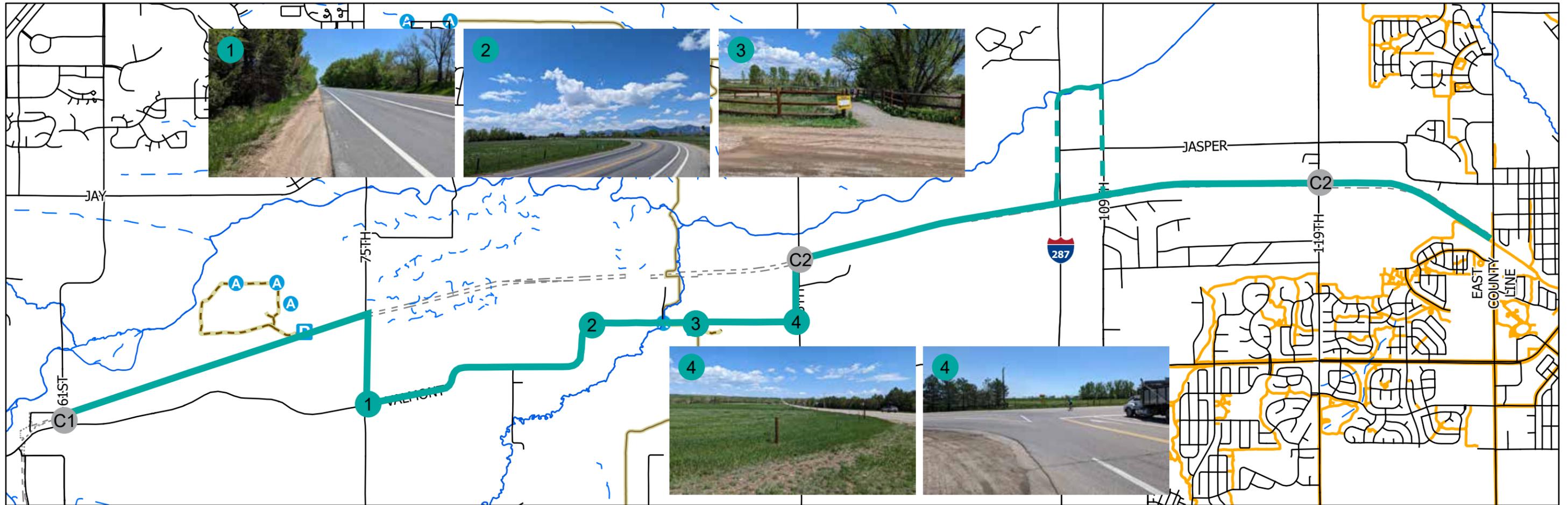
## Notes:

- These alignments are fully in the RTD ROW
- There are 2 alignment variations:
  - (1a) - trail in the ROW, not on the rail bed itself, but with crossings of the rail bed as needed
  - (1b) - trail in the ROW with potential for trail on top the existing rail bed in areas as needed
- Crossings locations are noted on the diagram above (C1, C2) and corresponding diagrams of these crossing types can be seen to the right

## Crossings:



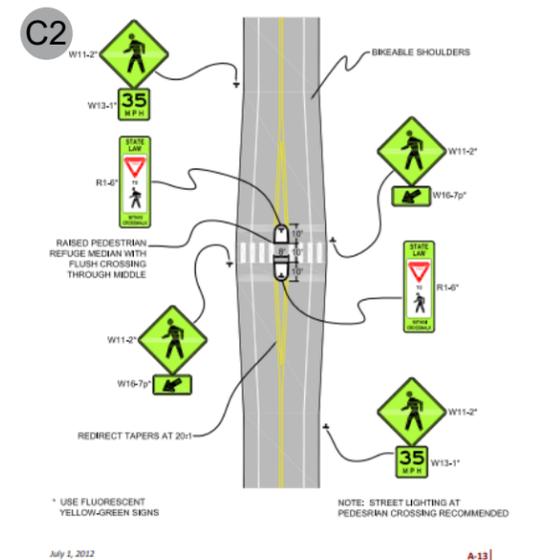
# RTD ROW/VALMONT/OSMP/BOCO ROW ALIGNMENT (2)



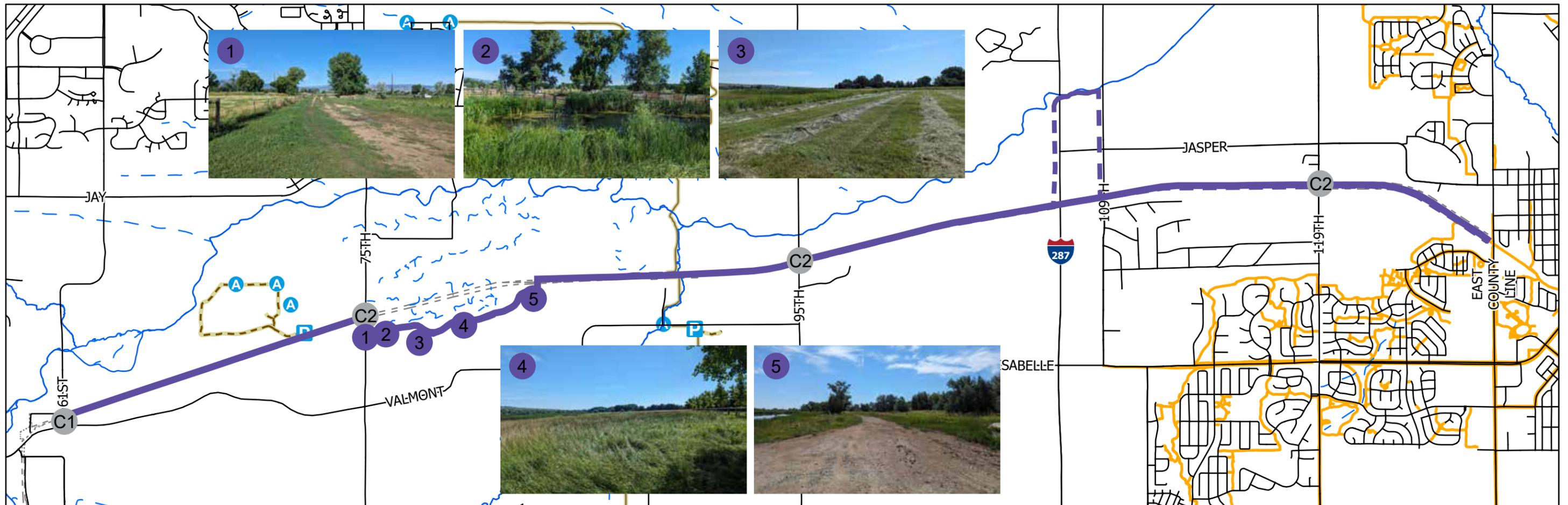
### Notes:

- (2) - alignment is a combination of RTD ROW, OSMP, and BOCO ROW/Valmont around the 75th to 95th section:
  - **61st to 75th** - RTD ROW & CPW/OSMP Access Road to Sawhill Ponds
  - **RTD ROW to Valmont** - OSMP/BOCO ROW
  - **75th to 95th** - BOCO ROW/OSMP
  - **Valmont to RTD ROW** - BOCO Road ROW
  - **95th to Erie** - RTD ROW
- Crossings locations are noted on the diagram above (C1, C2) and corresponding diagrams of these crossing types can be seen to the right

### Crossings:



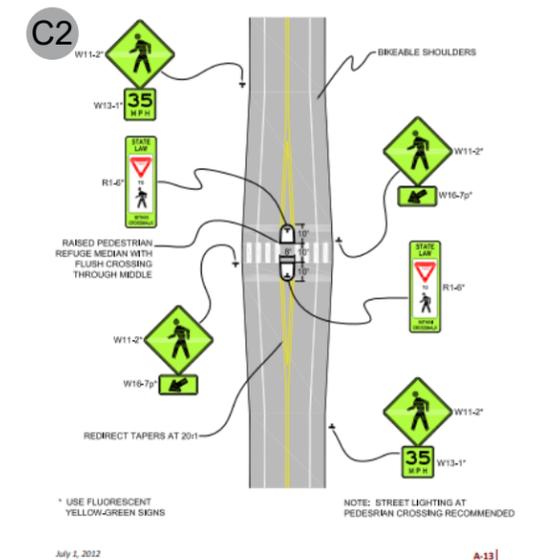
# RTD ROW/OSMP ALIGNMENT (3)



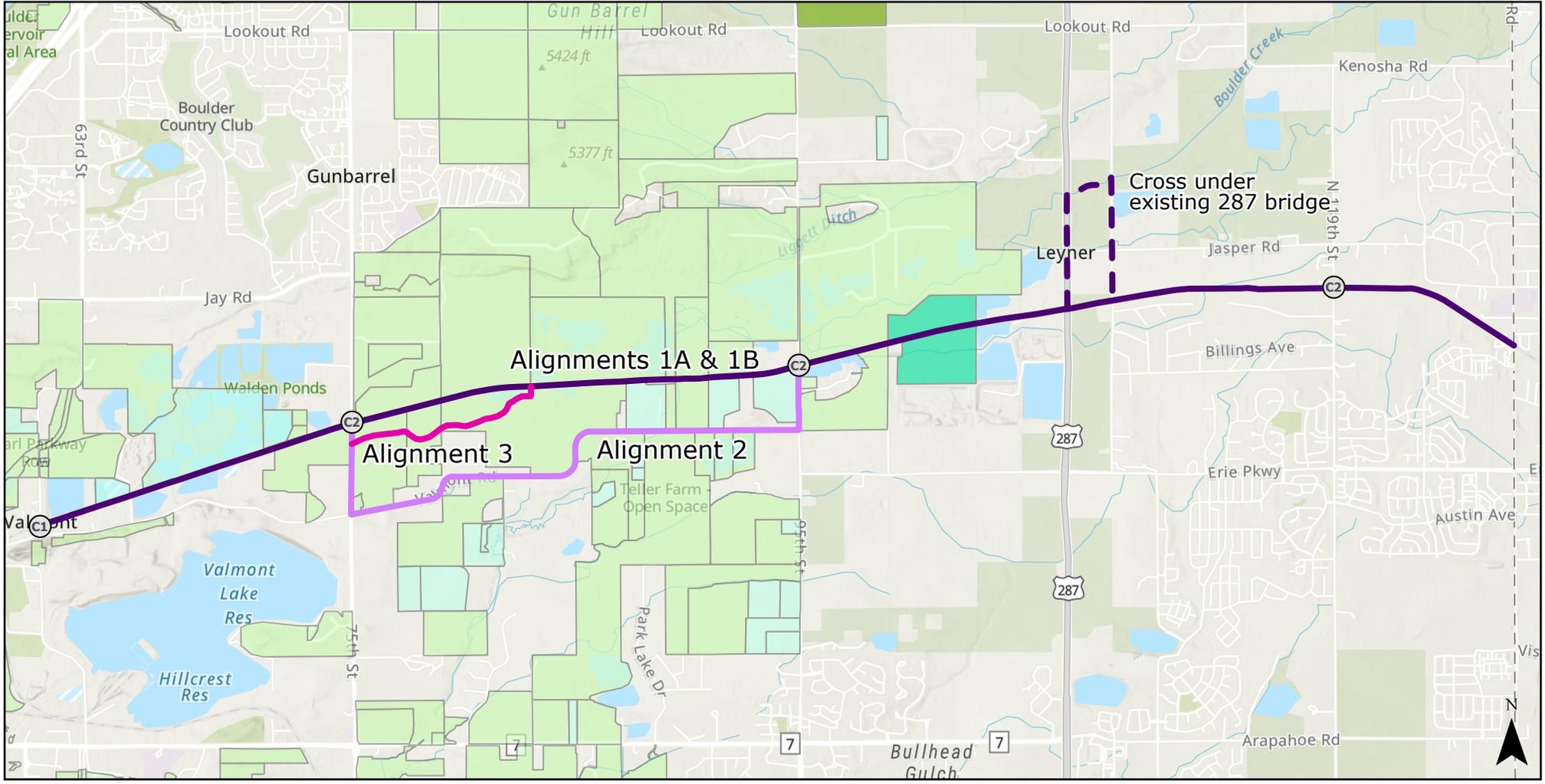
## Notes:

- (3) - alignment is a combination of RTD ROW and OSMP:
  - **61st to 75th** - RTD ROW & CPW/OSMP road to Sawhill Ponds
  - **RTD ROW to OSMP Route (along 75th)** - BOCO Road ROW/OSMP property
  - **75th to 95th** - OSMP property & RTD ROW
  - **95th to Erie** - RTD ROW
- Crossings locations are noted on the diagram above (C1, C2) and corresponding diagrams of these crossing types can be seen to the right

## Crossings:



# BERT Conceptual Alignments in relation to OSMP lands

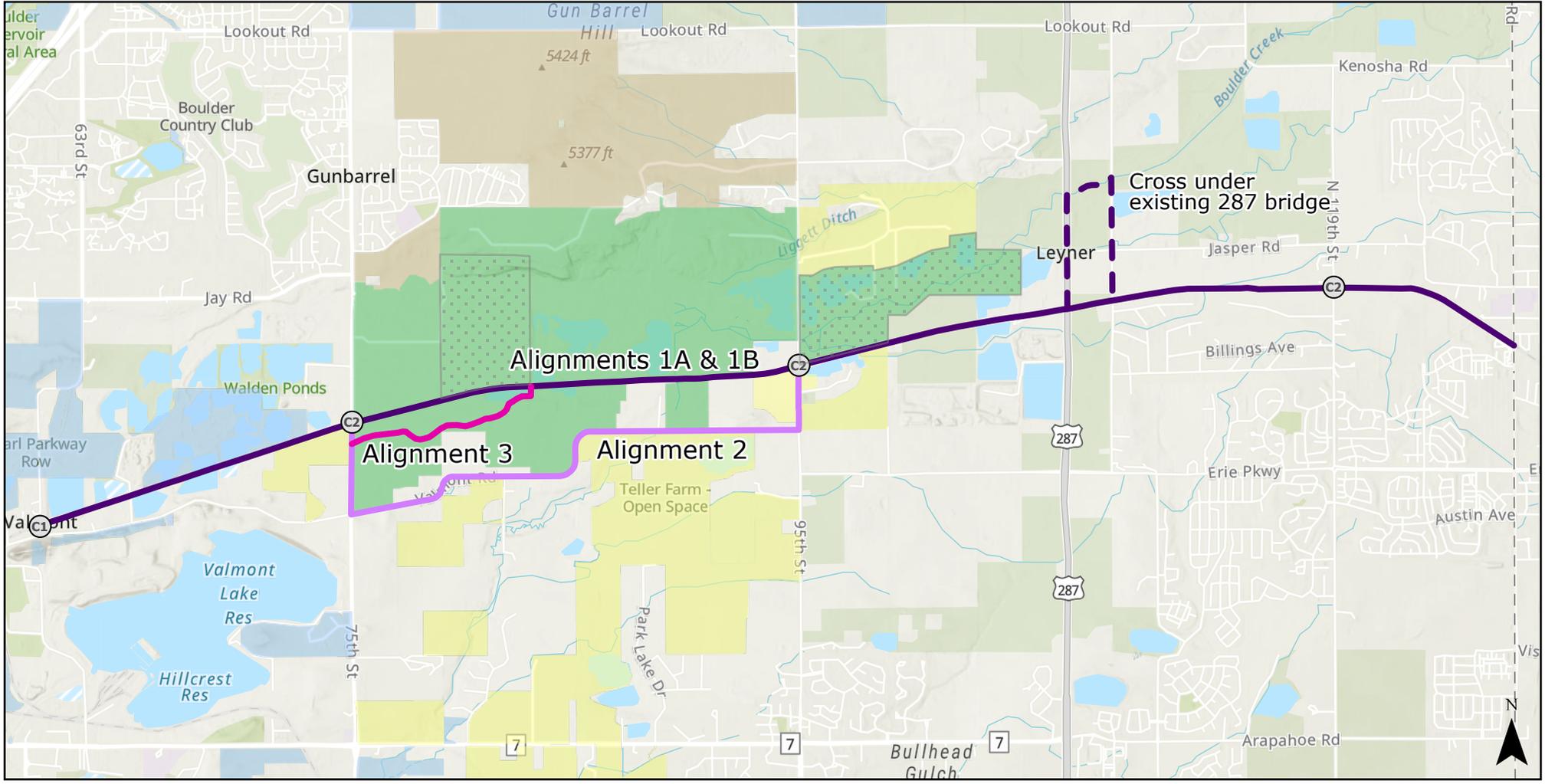


- Alignment 1A & 1B
- Alignment 2
- Alignment 3
- - - Potential bridge crossing at Boulder Creek
- ⓐ Crossing locations and type

- OSMP Property Type
- OSMP Fee Ownership
  - OSMP Joint Ownership
  - OSMP Joint Easement
  - OSMP Easement



# Attachment C: BERT Conceptual Alignments in relation to OSMP Management Area Designations



-  Alignments 1A & 1B
-  Alignment 2
-  Alignment 3
-  Potential bridge crossing at Boulder Creek
-  Crossing locations and type

- ### Management Area Designations
-  Agricultural Area
  -  Habitat Conservation Area
  -  Natural Area
  -  Passive Recreation Area
  -  MADs Pending CC Approval



# TECHNICAL EVALUATION RESULTS

The chart below shows the complete conceptual alignment grading matrix with all categories, considerations, and associated rankings combined in one chart showing how the alignments stack up against each other.

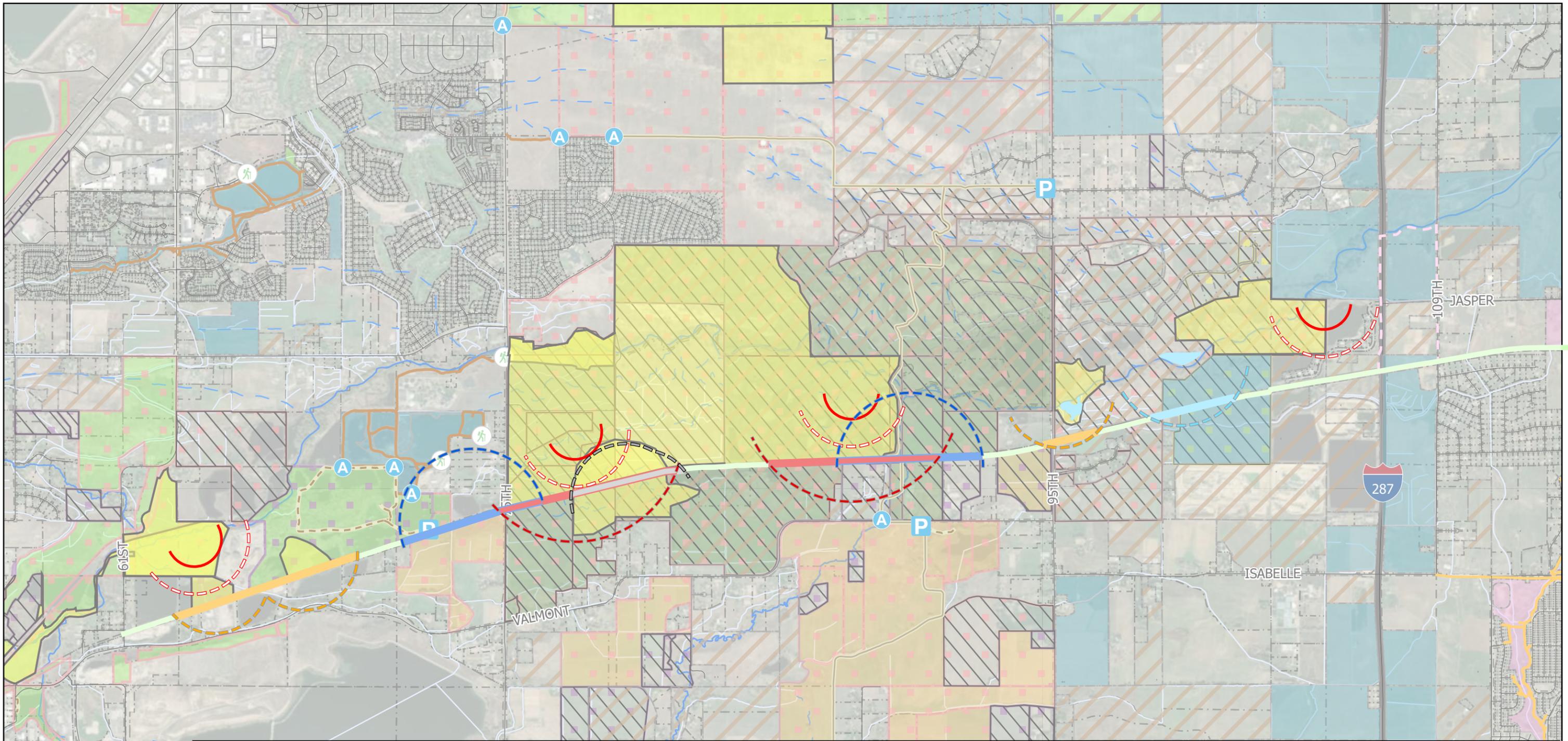
EVALUATION CATEGORIES	EVALUATION CONSIDERATIONS	Conceptual Alignment 1a - RTD ROW with minimal railbed crossovers	Conceptual Alignment 1b - RTD ROW with railbed potential	Conceptual Alignment 2 - Valmont	Conceptual Alignment 3 - OSMP Property	287 Crossing - Option 1 - Underpass	287 Crossing - Option 2 - Boulder Creek
Safety	Roadway Crossings	Yellow	Yellow	Orange	Yellow	Yellow	Yellow
	Hwy 287 Crossing	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow
	Driveways and Other Access Crossings	Green	Green	Orange	Green	Green	Orange
	User Sight Distances	Green	Green	Orange	Green	Green	Orange
Ecological Resources	Fragmentation of Designated Habitat cause by BERT	Red	Red	Green	Red	Green	Orange
	Wetlands	Red	Orange	Green	Red	Yellow	Orange
	T&E or Species of Management Interest Habitat	Red	Red	Green	Red	Yellow	Orange
	Introduction of Invasive Species	Red	Red	Yellow	Red	Yellow	Yellow
	Floodplains/Floodplain Resource Management	Yellow	Yellow	Yellow	Yellow	Orange	Red
Cultural Resources	Proximity to Cultural Sites	Green	Green	Green	Green	Green	Green
Agricultural Resources	Agricultural Use, Productivity and Management	Yellow	Yellow	Orange	Red	Yellow	Orange
	Ditch and Lateral Access, Operations, and Maintenance	Yellow	Yellow	Red	Orange	Yellow	Yellow
Implementation	Uses Existing Facilities/Right of Ways	Green	Green	Orange	Red	Green	Yellow
	Compatibility with Future Development/Redevelopment	Green	Green	Green	Green	Green	Green
	Construction Costs	Yellow	Red	Red	Orange	Red	Yellow
	Mitigation Costs	Red	Orange	Green	Red	Orange	Orange
	Permitting	Red	Orange	Green	Red	Orange	Orange
	Ease/Speed of Implementation	Green	Yellow	Red	Orange	Red	Green
	Construction Impacts	Orange	Yellow	Red	Red	Red	Orange
Maintenance	Maintenance Cost	Yellow	Yellow	Red	Orange	Red	Red
Adjacent Property Considerations	Availability of BOCO or RTD ROW and property to complete the project	Green	Green	Orange	Red	Green	Yellow
	Need for Use of Other Public Lands	Green	Green	Green	Orange	Green	Yellow
	Need for Use of Private Property	Green	Green	Red	Green	Green	Orange
	Adjacent Land Use	Yellow	Yellow	Red	Orange	Yellow	Orange
Trail User Experience	Directness of Alignment	Green	Green	Red	Green	Green	Orange
	Recreational Value	Green	Green	Orange	Green	Yellow	Green
	Connectivity to existing or potential Trailheads, Trails, and other Routes	Green	Green	Green	Green	Yellow	Green
	Connectivity to User Starting Points and/or Destinations	Green	Green	Green	Green	Yellow	Green
	Trailheads	Green	Green	Green	Green	Yellow	Green
	Interpretive Opportunities	Green	Green	Green	Green	Orange	Green

After evaluation of all the conceptual alignments and crossing options, the project team selected a preferred alignment for further consider. This selection was made through a review of various project elements, including:

- **PUBLIC INPUT:** results from two community surveys and notes/input from public meetings, CWG meetings, emails, and written feedback

- **STEERING COMMITTEE AND STAKEHOLDER INPUT:** comments, notes, and written feedback from steering committee meetings and additional partner reviews and discussion
- **TECHNICAL EVALUATION:** evaluation of conceptual alignments 1A, 1B, 2, and 3 as well as Hwy 287 crossing options 1 and 2

# Attachment E: Map of CPW Raptor Recommendations



**Legend**

<p><b>PREFERRED ALIGNMENT FOR FURTHER CONSIDERATION</b></p> <p>— Preferred Alignment</p>	<p> Bald Eagle 1/4 Mile Buffer (OSMP &amp; CPW)</p>	<p> OSMP Multi-Use Trail</p>	<p> Ditches and Field Laterals</p>	<p> No Public Access</p>						
<p><b>REGULATORY NEST BUFFERS</b></p> <p> Bald Eagle Nests 1/8 Mile Buffer</p>	<p><b>GREAT BLUE HERON ROOKERIES</b></p> <p> Great Blue Heron Rookeries</p>	<p><b>BOULDER COUNTY TRAILS</b></p> <p> Boulder County Trails</p>	<p><b>ERIE GREEN SPACE OWNERSHIP</b></p> <p> Erie Green Space Ownership</p>	<p><b>OSMP MANAGEMENT AREA DESIGNATIONS</b></p> <p> Agricultural Area</p>						
<p><b>RECOMMENDED NEST BUFFERS</b></p> <p> Osprey 1/4 Mile Buffer (OSMP &amp; CPW)</p> <p> Northern Harrier 1/4 Mile Buffer (OSMP)</p> <p> Red Tail Hawk 1/3 Mile Buffer (OSMP &amp; CPW)</p> <p> Bald Eagle 1/2 Mile Buffer (OSMP &amp; CPW)</p> <p> Great Blue Heron 1/3 Mile Buffer (CPW)</p>	<p><b>MANAGED TRAIL ACCESS LOCATIONS</b></p> <p> OSMP Trailhead with Designated Parking</p> <p> Access Point - Parking Along Public Streets Unless Otherwise Posted</p>	<p><b>ERIE TRAILS</b></p> <p> Erie Trails</p>	<p><b>OSMP LAND</b></p> <p> OSMP Fee Ownership</p> <p> OSMP Joint Ownership</p> <p> OSMP Joint Easement</p> <p> OSMP Easement</p> <p> OSMP Wildlife Closures</p>	<p><b>RECOMMENDED SEASONAL CLOSURES</b></p> <p> (March 15 - August 15)</p> <p> (Dec 1-July 31)</p> <p> (March 15 - August 15)</p>	<p><b>BOULDER COUNTY TRAILHEADS</b></p> <p> Boulder County Trailheads</p>	<p><b>287 CROSSING AT BOULDER CREEK</b></p> <p> 287 Crossing at Boulder Creek</p>	<p><b>LINEAR HYDROLOGY</b></p> <p> Ephemeral Stream</p> <p> Intermittent Stream</p> <p> Perennial Stream</p>	<p><b>OSMP MANAGEMENT AREA DESIGNATIONS</b></p> <p> Habitat Conservation Area</p> <p> Natural Area</p>	<p><b>COUNTY OPEN SPACE</b></p> <p> County Conservation Easement</p> <p> County Owned Open Space</p> <p> Trail Easement</p>	<p><b>PARCELS</b></p> <p> Parcel Boundary</p>
<p><b>TRAILS</b></p> <p> OSMP Hiking Trail</p>			<p>3,000 1,500 0 3,000 US Feet</p>							



**COLORADO**  
**Parks and Wildlife**  
 Department of Natural Resources

Northeast Regional Office  
 6060 Broadway  
 Denver, CO 80216  
 P 303.291.7227

July 19th, 2024

Kelsey Blaho  
 AICP | Planner  
 OTAK  
 Kelsey.Blaho@otak.com

Re: BERT Corridor Nest Recommendations analysis and report - Colorado Parks and Wildlife response- **Updated August 9th, 2024**

Dear Kelsey,

Thank you for the opportunity for Colorado Parks and Wildlife (CPW) to comment on the Boulder to Erie Region Trail (BERT) nest recommendations analysis and report that has been produced by ERO for the BERT Corridor. CPW has previously provided preliminary comments on the trail alignment. We understand that this request is specifically to address the analysis and report produced by ERO on nest buffer guidelines that you provided to us on July 8, 2024. CPW understands that ERO determined in their analysis that the “soft-surface regional trail would not adversely affect the overall breeding success of the raptors and herons nesting in the analysis area or contribute to an overall decline in the species locally or regionally.” CPW is responding to that statement with our recommendations below. **We have included updates/clarification to the letter in red text as is here, otherwise, the letter has remained the same.**

The mission of CPW is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado’s natural resources. CPW has a statutory responsibility to manage all wildlife species in Colorado and to promote a variety of recreational opportunities throughout Colorado. One way we achieve this goal is by responding to referral comment requests, as is the case for this project.

Colorado Parks and Wildlife Area 2 and regional staff have reviewed the proposed site for the trail and are familiar with the area. Previously, CPW gave recommendations on trail



alignment, including variances on seasonal closures and distances from nests based on the alignments and location and circumstances surrounding the individual nest. The following are concerns and recommendations for the alignment that the BERT team has identified to us in a previous meeting as the preferred alignment that follows the existing Right of Way (ROW) concerning the nests in the trail alignment vicinity:

## Recommendations

### Bald Eagle Nests

An active Bald eagle nest site is a specific location in which a pair of bald eagles has at least attempted to nest within the last five years. Any nest location that can be directly tied to courtship, breeding, or brooding behavior is considered active. A buffer zone extends ½-mile around a known active nest. CPW has two recommendations to protect these sites: of a) no surface occupancy (NSO) within ¼-mile of any active bald eagle nest site, and b) no human encroachment or permitted/authorized human activities within ½-mile of any active bald eagle nest site from December 1 to July 31 of each year.

For the nests identified within the project area and the ¼-mile nest buffer, we provided the following comments previously: For the nest on the most western side of the trail (identified on the map provided at Bald Eagle Nest 1), we evaluated its location, and regardless of the alignment chosen, we would not recommend a seasonal closure in this particular nest because of the amount of existing disturbance around the nest. This pair of eagles started nesting while the gravel mine to the southeast was active, so they chose to nest even with the disturbance of the mine and the 61st Street daily traffic. Regardless of the trail alignment, we would not recommend a seasonal closure on the most eastern Bald Eagle nest (identified on the map given as Bald Eagle nest 4). This nest is close to HWY 287, 15 houses, and an access road the neighborhood uses daily, so this pair is also very tolerant of disturbance. This pair has an alternate nest that is very close to the active nest that was displayed on the map we showed during the initial meeting, and we are not concerned with this nest unless it becomes active. For all alignments, we recommend constructing the trail outside the nesting season (December 1- July 31). CPW's least preferred alignment would be the one that follows the existing right of way. This alignment is within the ¼-mile buffer of 2 Bald Eagle nests (identified as Bald Eagle nests 2 and 3 on the map provided), and we recommend no surface occupancy within that ¼-mile buffer year-round. **This year-round ¼ mile buffer would include a seasonal closure between December 1- July 31 on both of the nests identified, but first and foremost, we stand by our recommendation that there be no surface occupancy of any kind within ¼ mile of the identified Bald Eagle nests 2 and 3.**

### Red-Tailed Hawk

This alignment is also within the ½-mile buffer for the Red-tailed hawk nests, which we recommend avoiding construction during the nesting season (Feb 15- July 15).

Specific to the nest identified as Red Tailed Hawk nests 4 and 7, while it is by our own definition in a "highly developed area", we would recommend a seasonal closure of the trail in both places, given 1) the extreme proximity of the trail alignment to the nest (over/next to the RTD track) and 2) the documented cases of red-tailed hawks attacking people in defense of their nests.

### Osprey

CPW recommends no surface occupancy (beyond that which historically occurred in the area) within ¼ mile (1320 feet, 400 meters) radius of active nests. CPW recommends no permitted, authorized, or human encroachment activities within ¼ mile (1320 feet, 400 meters) radius of active nests from March 15 through August 15. Some osprey populations are habituated to and tolerant of human activity in the immediate vicinity of their nests. ERO's analysis and report state that the BERT alignment would adopt the existing OSMP closure buffers for osprey (OSMP's website states that OSMP has a closure every year from March 15 to Sept. 10 for Osprey nesting), and CPW agrees with this recommendation. CPW has reviewed this comment and stands by our previous statement that we agree with adopting the existing OSMP closure buffers.

### Great Blue Heron

CPW recommends a 300-meter no-surface occupancy buffer zone during the nesting season, which is from mid-March to mid-August, but the trail alignment is outside of this buffer, so CPW has no further concerns.

The proposed alignment is outside the 985-foot (300m) buffer for Rookery 1, which we agreed with in our previous comments. However, ERO's report did not address Rookery 2, rendering our previous comment incomplete. The trail alignment is 580 feet from Rookery 2. Rookery 2 is also approximately 400 feet from 95th Street. However, roads are not a part of the CPW definition of a highly developed area, so we would maintain the 300m recommendation (which is a seasonal closure only from mid-March to mid-August).

### Northern Leopard Frogs

Northern Leopard Frogs were identified in the project area, but they were not included in ERO's review. CPW recommends maintaining a 300-foot buffer around northern leopard frog breeding sites.

Thank you again for including CPW in the review of this Project. If you have any additional questions regarding wildlife concerns for this property, please contact Lexi Hamous, NE Land Use Coordinator, at [lexi.hamous-miller@state.co.us](mailto:lexi.hamous-miller@state.co.us) or by phone at 303-916-2987.

Respectfully,

A handwritten signature in black ink, appearing to read "Chris Mettenbrink". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chris Mettenbrink  
Area 2 Assistant Area Wildlife Manager

Cc: Mark Leslie, Jason Duetsch, Tyler Asnicar, Cassy Penn, Lexi Hamous, Lucas Svare, and file.

**From:** [Hamous-Miller - DNR, Lexi](#)  
**To:** [French, Kacey](#)  
**Cc:** [Kelsey Blaho](#); [Keeley, Will](#); [Swanson, Heather](#); [Tyler Asnicar](#); [Penn - Dnr, Cassandra](#); [chris.mettenbrink@state.co.us](#); [Svare- DNR, Luke](#); [Jeffrey Range](#); [Laura Hickey](#); [rbeane@eroresources.com](#); [bmangle](#); [ctanner](#); [Luebbert, Tonya](#); [Cliff Lind](#); [Bonnell, Juliet](#)  
**Subject:** Re: BERT Nest Discussion - 8/6/24  
**Date:** Tuesday, August 13, 2024 1:16:14 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Hi Kacey,

Please add this email to the packet you are putting together for clarification on the 1/2 mile buffer recommendations that we stated in original and edited letter as we will not be resending a new edited letter: As stated in our letters "CPW has two recommendations to protect these sites: of a) no surface occupancy (NSO) within ¼-mile of any active bald eagle nest site, and b) no human encroachment or permitted/authorized human activities within ½-mile of any active bald eagle nest site from December 1 to July 31 of each year." We clarified with Nests 1 and 4 that "we would not recommend a seasonal closure in this particular nest because of the amount of existing disturbance around the nest," our original recommendation above stands for Nests 2 and 3 for a 1/2 mile buffer seasonal closure and we would recommend this closure based on not addressing it otherwise in our letter.

-Sincerely,

**Lexi Hamous, MS (She/Her)**  
**Northeast Region Land Use Coordinator**  
**Colorado Parks and Wildlife**



[6060 Broadway, Denver, CO 80216](#)

303-916-2987

[Lexi.Hamous-Miller@state.co.us](mailto:Lexi.Hamous-Miller@state.co.us)

[CPW's Energy Webpage](#)



On Mon, Aug 12, 2024 at 12:10 PM French, Kacey <[FrenchK@bouldercolorado.gov](mailto:FrenchK@bouldercolorado.gov)> wrote:

Hi Lexi,

Thanks for clarifying. Will you or could you update the letter to reflect that recommendation? I think having a clear record of CPW's recommendations will help all of us moving forward in this process.



**COLORADO**

**Parks and Wildlife**

Department of Natural Resources

Northeast Regional Office  
6060 Broadway  
Denver, CO 80216  
P 303.291.7227

July 19, 2024

Kelsey Blaho  
AICP | Planner  
OTAK  
Kelsey.Blaho@otak.com

Re: BERT Corridor Nest Recommendations analysis and report - Colorado Parks and Wildlife response

Dear Kelsey,

Thank you for the opportunity for Colorado Parks and Wildlife (CPW) to comment on the Boulder to Erie Region Trail (BERT) nest recommendations analysis and report that has been produced by ERO for the BERT Corridor. CPW has previously provided preliminary comments on the trail alignment. We understand that this request is specifically to address the analysis and report produced by ERO on nest buffer guidelines that you provided to us on July 8, 2024. CPW understands that ERO determined in their analysis that the “soft-surface regional trail would not adversely affect the overall breeding success of the raptors and herons nesting in the analysis area or contribute to an overall decline in the species locally or regionally.” CPW is responding to that statement with our recommendations below.

The mission of CPW is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado’s natural resources. CPW has a statutory responsibility to manage all wildlife species in Colorado and to promote a variety of recreational opportunities throughout Colorado. One way we achieve this goal is by responding to referral comment requests, as is the case for this project.

Colorado Parks and Wildlife Area 2 and regional staff have reviewed the proposed site for the trail and are familiar with the area. Previously, CPW gave recommendations on trail alignment, including variances on seasonal closures and distances from nests based on the alignments and location and circumstances surrounding the individual nest. The following are



Jeff Davis, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Dallas May, Chair · Richard Reading, Vice-Chair · Karen Bailey, Secretary · Jessica Beaulieu  
Marie Haskett · Jack Murphy · Gabriela Henke · James Jay Tutchton · Eden Vardy

concerns and recommendations for the alignment that the BERT team has identified to us in a previous meeting as the preferred alignment that follows the existing Right of Way (ROW) concerning the nests in the trail alignment vicinity:

## Recommendations

### Bald Eagle Nests

An active Bald eagle nest site is a specific location in which a pair of bald eagles has at least attempted to nest within the last five years. Any nest location that can be directly tied to courtship, breeding, or brooding behavior is considered active. A buffer zone extends ½-mile around a known active nest. CPW has two recommendations to protect these sites: of a) no surface occupancy (NSO) within ¼-mile of any active bald eagle nest site, and b) no human encroachment or permitted/authorized human activities within ½-mile of any active bald eagle nest site from December 1 to July 31 of each year.

For the nests identified within the project area and the ¼-mile nest buffer, we provided the following comments previously: For the nest on the most western side of the trail (identified on the map provided at Bald Eagle Nest 1), we evaluated its location, and regardless of the alignment chosen, we would not recommend a seasonal closure in this particular nest because of the amount of existing disturbance around the nest. This pair of eagles started nesting while the gravel mine to the southeast was active, so they chose to nest even with the disturbance of the mine and the 61st Street daily traffic. Regardless of the trail alignment, we would not recommend a seasonal closure on the most eastern Bald Eagle nest (identified on the map given as Bald Eagle nest 4). This nest is close to HWY 287, 15 houses, and an access road the neighborhood uses daily, so this pair is also very tolerant of disturbance. This pair has an alternate nest that is very close to the active nest that was displayed on the map we showed during the initial meeting, and we are not concerned with this nest unless it becomes active. For all alignments, we recommend constructing the trail outside the nesting season (December 1- July 31). CPW's least preferred alignment would be the one that follows the existing right of way. This alignment is within the ¼-mile buffer of 2 Bald Eagle nests (identified as Bald Eagle nests 2 and 3 on the map provided), and we recommend no surface occupancy within that ¼-mile buffer year-round.

### Red-Tailed Hawk

This alignment is also within the ⅓-mile buffer for the Red-tailed hawk nests, which we recommend avoiding construction during the nesting season (Feb 15- July 15).

### Osprey

CPW recommends no surface occupancy (beyond that which historically occurred in the area) within ¼ mile (1320 feet, 400 meters) radius of active nests. CPW recommends no permitted, authorized, or human encroachment activities within ¼ mile (1320 feet, 400 meters) radius of

active nests from March 15 through August 15. Some osprey populations are habituated to and tolerant of human activity in the immediate vicinity of their nests. ERO's analysis and report state that the BERT alignment would adopt the existing OSMP closure buffers for osprey (OSMP's website states that OSMP has a closure every year from March 15 to Sept. 10 for Osprey nesting), and CPW agrees with this recommendation.

### Great Blue Heron

CPW recommends a 300-meter no-surface occupancy buffer zone during the nesting season, which is from mid-March to mid-August, but the trail alignment is outside of this buffer, so CPW has no further concerns.

Thank you again for including CPW in the review of this Project. If you have any additional questions regarding wildlife concerns for this property, please contact Lexi Hamous, NE Land Use Coordinator, at [lexi.hamous-miller@state.co.us](mailto:lexi.hamous-miller@state.co.us) or by phone at 303-916-2987.

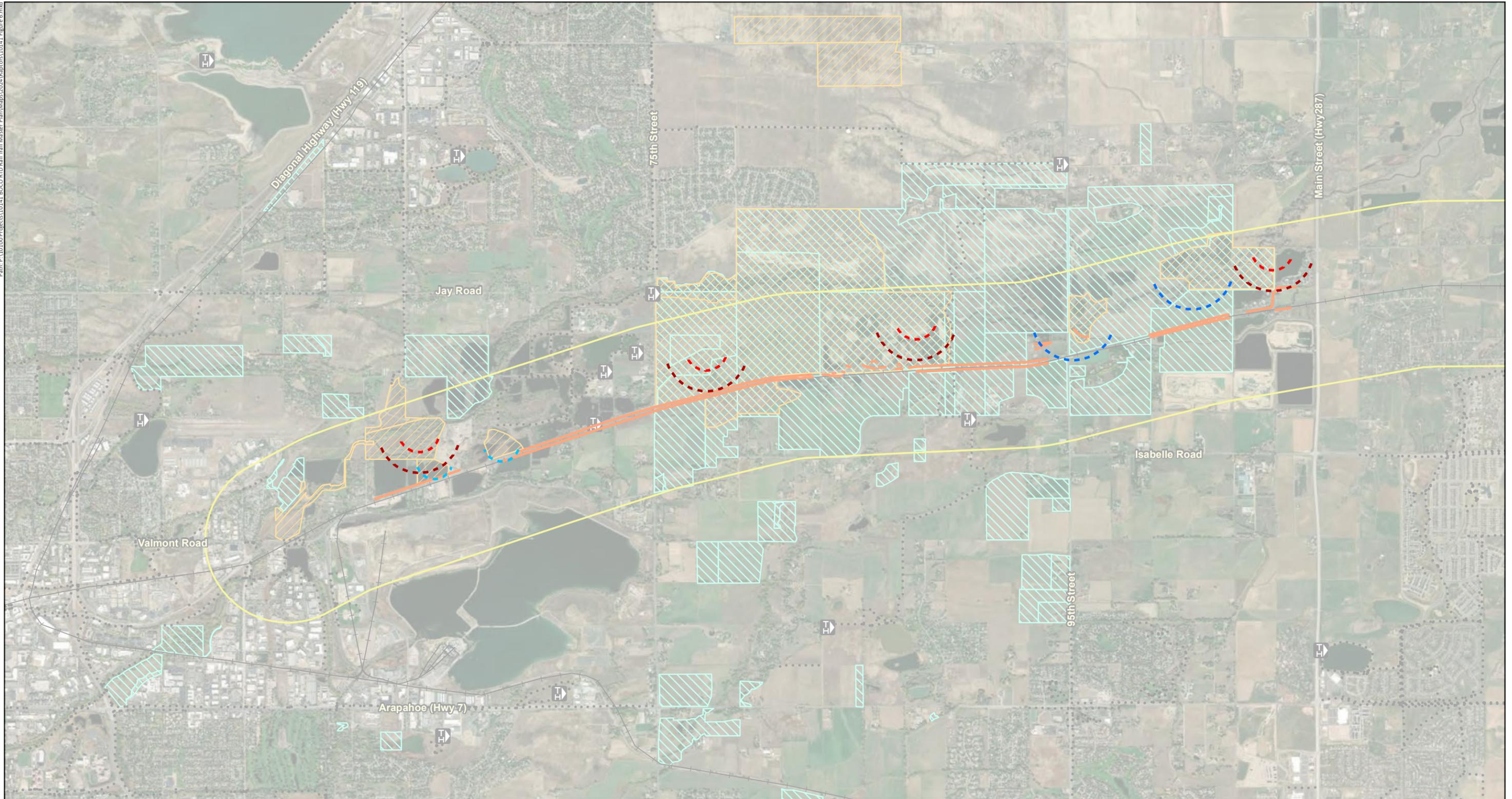
Respectfully,



Chris Mettenbrink  
Area 2 Assistant Area Wildlife Manager

Cc: Mark Leslie, Jason Duetsch, Tyler Asnicar, Cassy Penn, Lexi Hamous, Lucas Svare, and file.

Path: P:\10100\Projects\10141\_BOCO RTD Rail Trail Master Plan\Maps\2024\Raptors\10141\_Figure 6.mxd



**Boulder to Erie Regional Trail (BERT)**

- +—+ Railroad Grade
- ..... Existing Trail
- Proposed and Enhanced Visual Screening
- ▨ OSMP Wildlife Closure
- ▨ OSMP No Public Access
- ▭ Analysis Area
- Bald Eagle 1/8-Mile Buffer
- Osprey 1/4-Mile Buffer
- Bald Eagle 1/4-Mile Buffer
- Osprey 575-Foot Buffer

Image Source: Maxar Technologies©, April 17, 2022

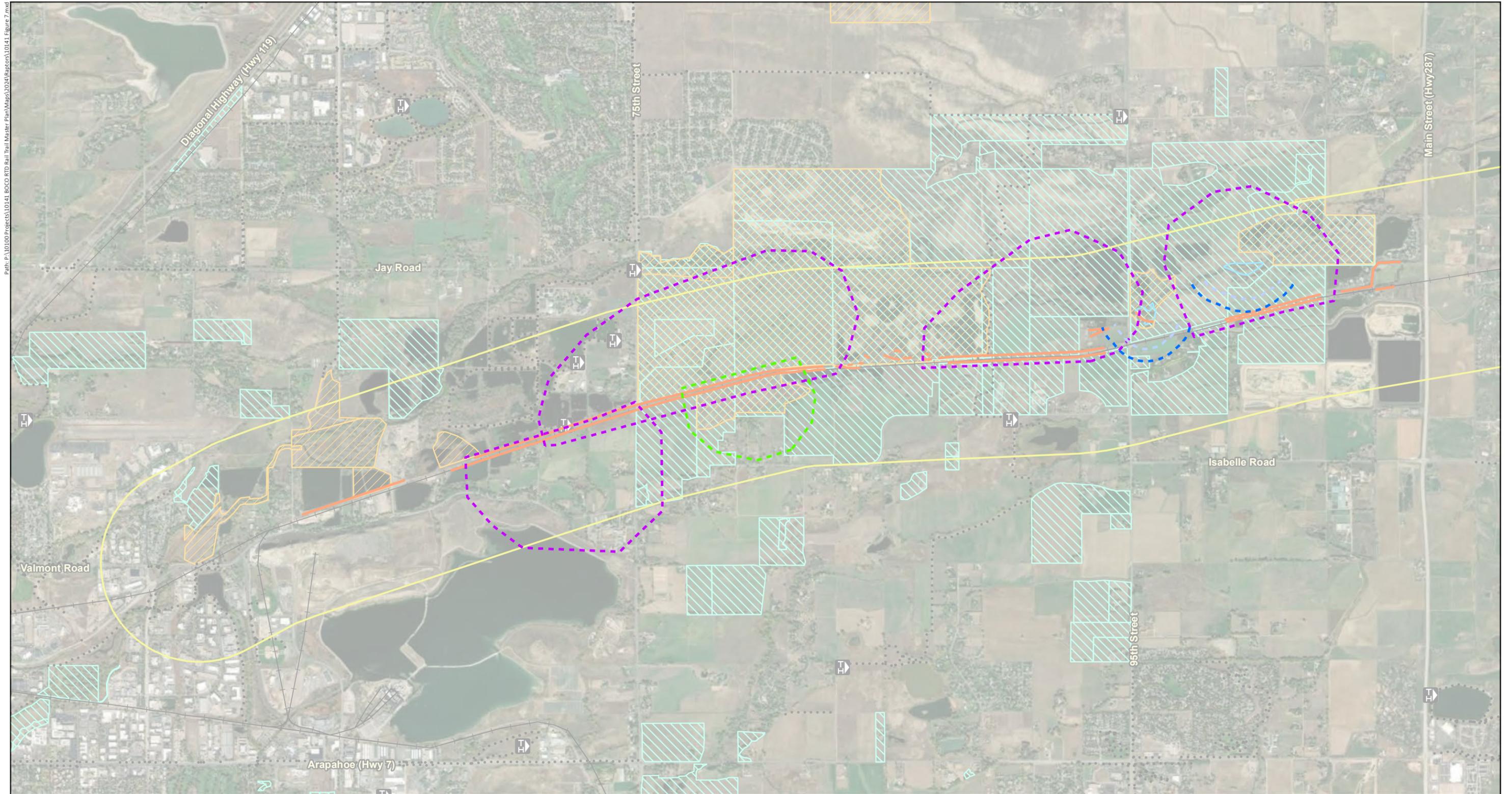
**Figure 6**  
Eagle and Osprey  
Site-Specific Tailored  
Raptor Nest Buffers



Prepared for: Loris  
File: 10141 Figure 6.mxd (GS)  
September 10, 2024



# Attachment G: Maps of ERO Raptor Recommendations with Buffer Context



Path: P:\10100\Projects\10141\_BOCO RTD Rail Trail Master Plan\Maps\2024\Raptors\10141\_Figure 7.mxd

## Boulder to Erie Regional Trail (BERT)

-  Great Blue Heron Rookery
-  Railroad Grade
-  Existing Trail
-  Proposed and Enhanced Visual Screening
-  Red-Tailed Hawk (OSMP & CPW)
-  Northern Harrier (OSMP)
-  Great Blue Heron 650-Foot Buffer
-  Great Blue Heron 985-Foot Buffer

-  OSMP Wildlife Closure
-  OSMP No Public Access
-  Analysis Area

Agenda Item 6 Page 28

Image Source: Maxar Technologies©, April 17, 2022

**Figure 7**  
 Red-Tailed Hawk, Northern Harrier  
 and Great Blue Heron Site-Specific  
 Tailored Raptor Nest Buffers



Prepared for: Loris  
 File: 10141 Figure 7.mxd (GS)  
 September 10, 2024



**From:** [Matthew Muir](#)  
**To:** [OSBT-Web](#)  
**Subject:** BERT - Comment from C4C  
**Date:** Monday, September 9, 2024 9:45:22 AM

---

**External Sender Notice** This email was sent by an external sender.

Dear OSBT,

Coalition 4 Cyclists, 501c3 ("C4C") supports the proposed alignment for the BERT and its construction.

The BERT is an incremental expression of the network multi-modal elements of the Boulder County TMP. The sum of those elements are indicated for desired outcomes in safety, opportunity/livability, land-use, water conservation, emissions for health and climate, equity, and the environment.

Moving the BERT to construction allows county staff to go on to the next soft surface trail project, the St. Vrain Greenway which is another network increment of the TMP and serves a geographically underserved part of Boulder County.

Thank you.

Matt Muir, Executive Director  
Coalition 4 Cyclists, 501(c)(3) (formerly Cyclists 4 Community)  
[matt@c4community.org](mailto:matt@c4community.org) | 303-881-9890  
<https://coalition4cyclists.org/>

*\* Note, C4C's email system had an undetected glitch for years. We finally fixed it. Thanks for your patience.*

**From:** [Joel White](#)  
**To:** [OSBT-Web](#)  
**Subject:** BERT comments  
**Date:** Wednesday, September 11, 2024 9:43:01 AM

---

**External Sender Notice** This email was sent by an external sender.

Greetings,

I am writing to express my support for the proposed BERT trail. I would encourage you to favor the routing that gives trail users separation from vehicles. As we've seen just this week in Lafayette, traffic and drivers continue to be oblivious to pedestrian and cyclist safety even in crosswalks and school areas. I would also like to express my concern for long closures for migratory animals that may not even take up residence near these trails. Boulder County claims to be looking for climate solutions, but having a potential trail like this that could eliminate car trips closed for up to 8 months a year does little to help.

The Rock Creek trail has numerous wildlife closures year after year for burrowing owls and eagle nesting. The eagles set up their nest directly next to a popular trail and are often seen at Monarch school resting on light poles during football practices and games. Closures for long periods of time would continue the trend to keep people in cars furthering the climate impact which would have more impact on these habitats than users passing through.

Regional connector trails allow users to utilize alternate methods of transportation safely and easily. We should continue to focus on building this network to help people safely choose to opt for non carbon emitting car trips when possible.

I appreciate your consideration.

Thanks,  
Joel White

**From:** [Michael Barrow](#)  
**To:** [OSBT-Web](#)  
**Subject:** BERT TRAIL - Say YES to option 1B  
**Date:** Tuesday, September 10, 2024 8:30:06 PM

---

External Sender Notice This email was sent by an external sender.

Greetings

As a long time supporter of both the city and county open space programs, I am gratified to see this plan moving forward.

After reviewing the plan, I like option 1B. It is my hope that the buffer zones can be tailored to provide protection to sensitive species while still allowing access.

Sending the trail to the side of the road is not an option in my opinion. No!  
Thank you for your service.

Mike Barrow  
Lafayette

Sent from my iPad

**From:** [Cathern H Smith](#)  
**To:** [OSBT-Web](#)  
**Subject:** BERT: Wildlife Protections, including a New Trail Alignment are Needed  
**Date:** Wednesday, September 11, 2024 9:40:56 AM  
**Attachments:** [CPW Letter Updated Aug 9 2024.pdf](#)

---

**External Sender Notice** This email was sent by an external sender.

Dear Chair and Members of the Open Space Board of Trustees:

The OSMP lands that CPW and OSMP Staff seek to protect have a high density of nests for sensitive and federally protected bird species, Ute ladies'-tresses - a rare orchid listed as threatened under the Endangered Species Act, and other life forms in need of protection.

While it is not always easy to balance human recreation and the needs of wildlife and the ecosystems that support them, this is an easy call. Colorado Parks and Wildlife has established standards which balance the needs of ecosystems and wildlife with human use and provided specific guidance about how to apply those standards along the proposed BERT alignment. The attached, updated July 19, 2024 letter from Colorado Parks and Wildlife's Area 2 Assistant Area Wildlife Manager Chris Mettenbrink contains the specific closure recommendations this Board is being asked to endorse. This document can also be found at pages 41-44 of Attachment F of the OSMP Board package available at [file:///C:/Users/cathe\\_7i3kdgb/Downloads/09.11.24%20Boulder%20City%20OSBT%20Packet.pdf](file:///C:/Users/cathe_7i3kdgb/Downloads/09.11.24%20Boulder%20City%20OSBT%20Packet.pdf)

Additionally, the proposed use of a RTD right of way creates a unique challenge because about 5 miles of the proposed trail cuts through lands that are part of OSMP's holdings. The impacts of further fragmentation upon this habitat and the life it supports make further exploration of other trail alignments prudent.

The Open Space and Mountain Parks Department preserves and protects the natural environment and land resources that characterize Boulder. We hold the power to preserve and protect lands with high ecological value and foster appreciation and use of OSMP lands. Please seize the moment and signal that the values of Boulder City align with and respect the balance established by Colorado Parks and Wildlife. Please also act to sustain the natural values of the land for current and future generations.

Thank you for your service to the people recreating in and the wildlife residing in the Open Space and Mountain Park lands.

Best,

/s Cathern Smith

Boulder County Resident



**COLORADO**  
**Parks and Wildlife**  
 Department of Natural Resources

Northeast Regional Office  
 6060 Broadway  
 Denver, CO 80216  
 P 303.291.7227

July 19th, 2024

Kelsey Blaho  
 AICP | Planner  
 OTAK  
 Kelsey.Blaho@otak.com

Re: BERT Corridor Nest Recommendations analysis and report - Colorado Parks and Wildlife response- **Updated August 9th, 2024**

Dear Kelsey,

Thank you for the opportunity for Colorado Parks and Wildlife (CPW) to comment on the Boulder to Erie Region Trail (BERT) nest recommendations analysis and report that has been produced by ERO for the BERT Corridor. CPW has previously provided preliminary comments on the trail alignment. We understand that this request is specifically to address the analysis and report produced by ERO on nest buffer guidelines that you provided to us on July 8, 2024. CPW understands that ERO determined in their analysis that the “soft-surface regional trail would not adversely affect the overall breeding success of the raptors and herons nesting in the analysis area or contribute to an overall decline in the species locally or regionally.” CPW is responding to that statement with our recommendations below. **We have included updates/clarification to the letter in red text as is here, otherwise, the letter has remained the same.**

The mission of CPW is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado’s natural resources. CPW has a statutory responsibility to manage all wildlife species in Colorado and to promote a variety of recreational opportunities throughout Colorado. One way we achieve this goal is by responding to referral comment requests, as is the case for this project.

Colorado Parks and Wildlife Area 2 and regional staff have reviewed the proposed site for the trail and are familiar with the area. Previously, CPW gave recommendations on trail



alignment, including variances on seasonal closures and distances from nests based on the alignments and location and circumstances surrounding the individual nest. The following are concerns and recommendations for the alignment that the BERT team has identified to us in a previous meeting as the preferred alignment that follows the existing Right of Way (ROW) concerning the nests in the trail alignment vicinity:

## Recommendations

### Bald Eagle Nests

An active Bald eagle nest site is a specific location in which a pair of bald eagles has at least attempted to nest within the last five years. Any nest location that can be directly tied to courtship, breeding, or brooding behavior is considered active. A buffer zone extends ½-mile around a known active nest. CPW has two recommendations to protect these sites: of a) no surface occupancy (NSO) within ¼-mile of any active bald eagle nest site, and b) no human encroachment or permitted/authorized human activities within ½-mile of any active bald eagle nest site from December 1 to July 31 of each year.

For the nests identified within the project area and the ¼-mile nest buffer, we provided the following comments previously: For the nest on the most western side of the trail (identified on the map provided at Bald Eagle Nest 1), we evaluated its location, and regardless of the alignment chosen, we would not recommend a seasonal closure in this particular nest because of the amount of existing disturbance around the nest. This pair of eagles started nesting while the gravel mine to the southeast was active, so they chose to nest even with the disturbance of the mine and the 61st Street daily traffic. Regardless of the trail alignment, we would not recommend a seasonal closure on the most eastern Bald Eagle nest (identified on the map given as Bald Eagle nest 4). This nest is close to HWY 287, 15 houses, and an access road the neighborhood uses daily, so this pair is also very tolerant of disturbance. This pair has an alternate nest that is very close to the active nest that was displayed on the map we showed during the initial meeting, and we are not concerned with this nest unless it becomes active. For all alignments, we recommend constructing the trail outside the nesting season (December 1- July 31). CPW's least preferred alignment would be the one that follows the existing right of way. This alignment is within the ¼-mile buffer of 2 Bald Eagle nests (identified as Bald Eagle nests 2 and 3 on the map provided), and we recommend no surface occupancy within that ¼-mile buffer year-round. **This year-round ¼ mile buffer would include a seasonal closure between December 1- July 31 on both of the nests identified, but first and foremost, we stand by our recommendation that there be no surface occupancy of any kind within ¼ mile of the identified Bald Eagle nests 2 and 3.**

### Red-Tailed Hawk

This alignment is also within the ½-mile buffer for the Red-tailed hawk nests, which we recommend avoiding construction during the nesting season (Feb 15- July 15).

Specific to the nest identified as Red Tailed Hawk nests 4 and 7, while it is by our own definition in a "highly developed area", we would recommend a seasonal closure of the trail in both places, given 1) the extreme proximity of the trail alignment to the nest (over/next to the RTD track) and 2) the documented cases of red-tailed hawks attacking people in defense of their nests.

### Osprey

CPW recommends no surface occupancy (beyond that which historically occurred in the area) within ¼ mile (1320 feet, 400 meters) radius of active nests. CPW recommends no permitted, authorized, or human encroachment activities within ¼ mile (1320 feet, 400 meters) radius of active nests from March 15 through August 15. Some osprey populations are habituated to and tolerant of human activity in the immediate vicinity of their nests. ERO's analysis and report state that the BERT alignment would adopt the existing OSMP closure buffers for osprey (OSMP's website states that OSMP has a closure every year from March 15 to Sept. 10 for Osprey nesting), and CPW agrees with this recommendation. CPW has reviewed this comment and stands by our previous statement that we agree with adopting the existing OSMP closure buffers.

### Great Blue Heron

CPW recommends a 300-meter no-surface occupancy buffer zone during the nesting season, which is from mid-March to mid-August, but the trail alignment is outside of this buffer, so CPW has no further concerns.

The proposed alignment is outside the 985-foot (300m) buffer for Rookery 1, which we agreed with in our previous comments. However, ERO's report did not address Rookery 2, rendering our previous comment incomplete. The trail alignment is 580 feet from Rookery 2. Rookery 2 is also approximately 400 feet from 95th Street. However, roads are not a part of the CPW definition of a highly developed area, so we would maintain the 300m recommendation (which is a seasonal closure only from mid-March to mid-August).

### Northern Leopard Frogs

Northern Leopard Frogs were identified in the project area, but they were not included in ERO's review. CPW recommends maintaining a 300-foot buffer around northern leopard frog breeding sites.

Thank you again for including CPW in the review of this Project. If you have any additional questions regarding wildlife concerns for this property, please contact Lexi Hamous, NE Land Use Coordinator, at [lexi.hamous-miller@state.co.us](mailto:lexi.hamous-miller@state.co.us) or by phone at 303-916-2987.

Respectfully,

A handwritten signature in black ink, appearing to read "Chris Mettenbrink". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chris Mettenbrink  
Area 2 Assistant Area Wildlife Manager

Cc: Mark Leslie, Jason Duetsch, Tyler Asnicar, Cassy Penn, Lexi Hamous, Lucas Svare, and file.

**From:** [Bev Baker](#)  
**To:** [OSBT-Web](#)  
**Subject:** Comments for your meeting tomorrow Sept 11  
**Date:** Tuesday, September 10, 2024 7:28:35 AM  
**Attachments:** [BCAS letter to OSBT Sept 2024.docx](#)

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**External Sender Notice** This email was sent by an external sender.

Good morning Board members,

Attached please find comments from Boulder County Audubon Society (BCAS) regarding Agenda items V. and VI. for your meeting tomorrow evening.

Thank you for your consideration,

Bev Baker  
BCAS Conservation Committee



## BOULDER COUNTY AUDUBON SOCIETY

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PO Box 2081 ♦ Boulder, Colorado 80306  
www.boulderaudubon.org ♦ crossbill@boulderaudubon.org

To: City of Boulder Open Space Board of Trustees  
From: Boulder County Audubon Society  
Re: Comments for your September 11, 2024 meeting  
Date: September 9, 2024

Dear Trustees,

Boulder County Audubon Society (BCAS) is pleased to submit the following comments for your September 11, 2024 meeting. BCAS represents over 1,400 members. We are a voice for birds and wildlife conservation through habitat protection, advocacy, and nature education.

Agenda item V, Management Area Designations: We support the designations of Habitat Conservation Areas (HCAs) and Natural Areas, both important components of OSMP lands, as proposed by staff. We also support the staff recommendations re: open and closed status of each property moving forward. We appreciate staff's detailed and thoughtful explanation for each property regarding the recommended MAD and open/closed status.

Agenda item VI. Boulder to Erie Regional Trail (BERT):

We support staff's recommended motion. We commend OSMP staff for collaborating with Colorado Parks and Wildlife (CPW) to protect sensitive and rare wildlife species, and for proposing a way forward to continue partnering with the County while protecting environmental values for Boulder County residents. With increasing human population and encroachment on wildlife habitats in Boulder County and surrounding areas, it is critical to protect the best remaining habitats. For the BERT, we believe this means a commitment to following CPW recommendations, further exploration of less environmentally harmful routes, and examining ways to minimize impacts to adjacent OSMP lands with high ecological value and sensitive resources.

We contend that the BERT planning phase should include consideration of use types and timing, especially through sensitive areas. One sensitive area of particular concern is from about one-half mile west of the Sawhill Ponds parking lot, to the east through sensitive OSMP and County Comprehensive Plan (Comp Plan)-designated resource values in the White Rocks area. Examples of use-type planning to include in the planning phase are prohibiting dogs and nighttime use, at least in sensitive areas. Also, some limits on types and brightness of bike lights (such as strobes and extra-bright lights) are appropriate. We also would like to see discussion of other mitigations for wildlife, such as wildlife-friendly fencing, visual screening, and underpasses for small wildlife in wet areas, with site-specific mitigation measures to be dialed in as the project progresses. In light of the HCAs and irreplaceable species and ecosystems in the area, and dwindling refuges for wildlife, it is important to include mitigation measures up front during planning.

Thank you for your service to the community and for the opportunity to comment.

Sincerely,



**From:** [Alexey Davies](#)  
**To:** [OSBT-Web](#)  
**Cc:** [sue](#); [Alexey Davies](#)  
**Subject:** Community Cycles Support of BERT preferred alignment  
**Date:** Tuesday, September 10, 2024 6:20:17 PM

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**External Sender Notice** This email was sent by an external sender.

Dear OSBT

Community Cycles, with 1000s of supporters and more than 15,000 followers, supports the proposed alignment for the BERT.

Boulder County Transportation Master Plan calls for a Regional Trail or a Multi Use Path (or bikeable shoulder).

A regional trail will help meet the Vision Zero goal and a 'bikeable' shoulder of a roadway (Valmont) will not.

The preferred BERT alignment provides significant safety and comfort benefits. Achieving the same level of safety and comfort on Valmont would require a protected bike lane, due to the speed of traffic on the road, which would be expensive as it would likely require additional right of way, and is not currently in any plans for the roadway.

Plus, the completion of the Arapahoe separated path to Erie is at least a decade away and potentially more costly.

We also recognize a key outcome of the study: "Environmental minimization and mitigation opportunities will continue to be evaluated in coordination with CPW and open space agencies."

However, eight months of closure is not practical and we encourage minor re-routes of the trail plus bird blinds to minimize the impacts on wildlife and provide a safe route for people.

It's great to see progress on the BERT and we look forward to county staff to continue their great work on a Multimodal Transportation System.

Thanks for all your work on OSBT.

Community Cycles Advocacy Committee

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ride on!

alexey davies

[alexey@communitycycles.org](mailto:alexey@communitycycles.org)

Advocacy & Membership Director Community Cycles

[www.communitycycles.org](http://www.communitycycles.org)



[Join the Movement. Become a Member!](#)

**From:** Myra Michelle Mesko  
**To:** OSTB-Web  
**Cc:** Russell, Leah  
**Subject:** Proposed BERT and conservation areas  
**Date:** Tuesday, September 10, 2024 2:31:41 PM  
**Attachments:** WebPage.pdf

**External Sender Notice** This email was sent by an external sender.

Dear OSTB and Leah Russell:

My name is Myra Mesko, I am a long-time Boulder County resident with concerns regarding the proposed commuter trail (BERT) and where it is to be built. Option 1A would put the 10FT wide trail through the Boulder valley between 75th and 95th which has a substantial conservation area of Rare Plants & Significant Natural Community which is outlined on this map I am attaching. This conservation area is very important to plant diversity and habitat protection and it is prohibited to trespass without permission from Boulder County Open Space (OSMP), see picture attached.

The proposed BERT (open 24/7) commuter trail would introduce invasive plant species which would devastate the rare plants and all that live & thrive in this eco system. **It is estimated that hundreds of people** will be hiking/running (with pets) & biking on BERT (including E-bikes) on a *daily basis* introducing invasive plant seeds from shoe soles and bike treads that could devastate this Rare Plant Area & Significant Natural Community. Consistent human and dog traffic is not just dangerous to the fragile plant habitat, but also very disruptive to all the wildlife that currently lives and breeds in this protected area.

The stretch of Boulder Valley between 75th and 95th is home & breeding ground for bald & golden eagles, a variety of hawks, great horned owls, falcons, blue herons, herds of deer, foxes, coyotes, bobcats, turkeys, salamanders, frogs, snakes, lizards, and rare fireflies to name a few. The Six-Lined Racerunner Lizard makes it's home in the soft, sandy soil of White Rocks Habitat Conservation Area. The trail through White Rocks is only 3.5 - 4 feet wide and does not allow dogs, nor are they open 24/7. You can find all the aforementioned wildlife in this stretch of protected area for many reasons, one of them is that it is isolated from excessive human traffic. Only therefore, can this habitat exist and thrive in balance.

Lastly, there are plans to add fencing to keep people on BERT which could negatively impact migration of wildlife, especially the newborn, young population of our wildlife who could be separated from the herds/packs not able to overcome the fencing.

Please join me to be a voice for this delicate valley ecosystem which will be negatively impacted forever with the proposed 24/7, 10 foot wide BERT Commuter Trail option using the existing & decommissioned rail bed directly through the conservation area. There is a reason this area between 75th and 95th has been protected, let's make sure we educate the community on this special habitat and keep it protected for decades to come.

I believe there is a solution to have BERT come to life with mindful planning to avoid trespassing a designated conservation area harming it irreparably:

From 75th run BERT North to the Lookout Open Space which already has multiple trails built on & through it, then build it all the way to 287 along Lookout Rd. The Views from Lookout are outstanding, and nature lovers will feel like they are on-top of the world with unforgettable views to the west of Longs & Indian Peaks, and entire Continental Divide. To the East the horizon is vast and seems to never end.....

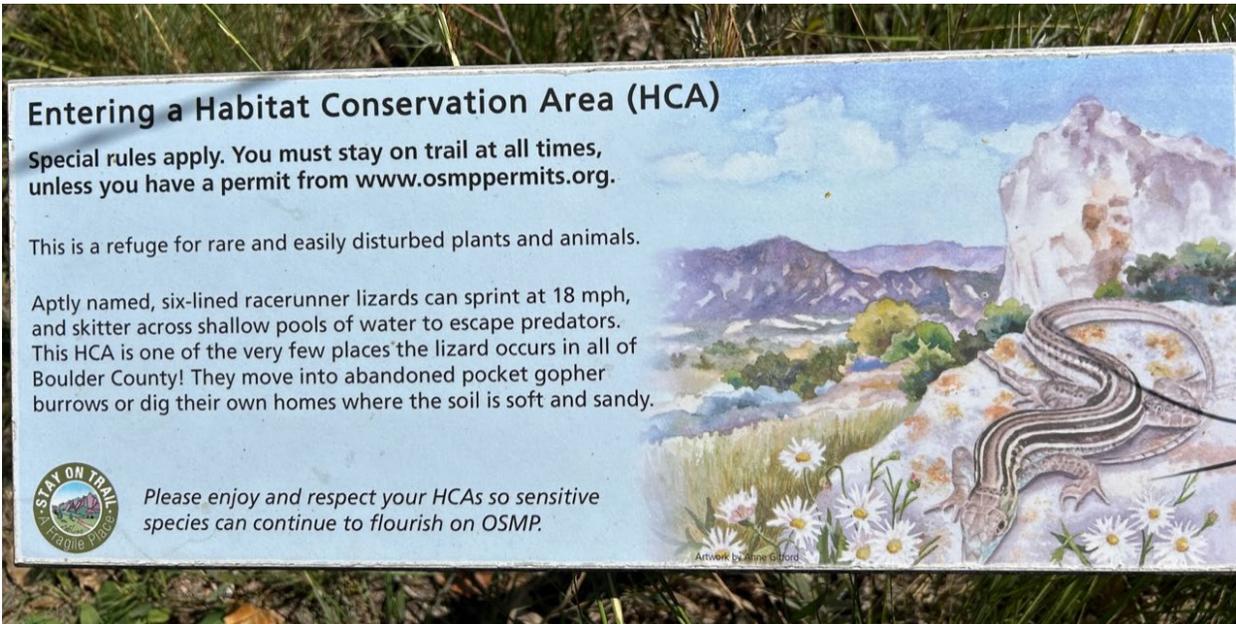
Alternatively, follow Valmont Rd, it has beautiful scenery and will not impact our protected spaces which we can all thank Boulder County for protecting.

With heartfelt gratitude for your attention to this sensitive matter.

Sincerely,

Myra Mesko  


<https://assets.bouldercounty.gov/wp-content/uploads/2017/03/bcep-map-rare-plant-areas-significant-natural-areas.pdf>



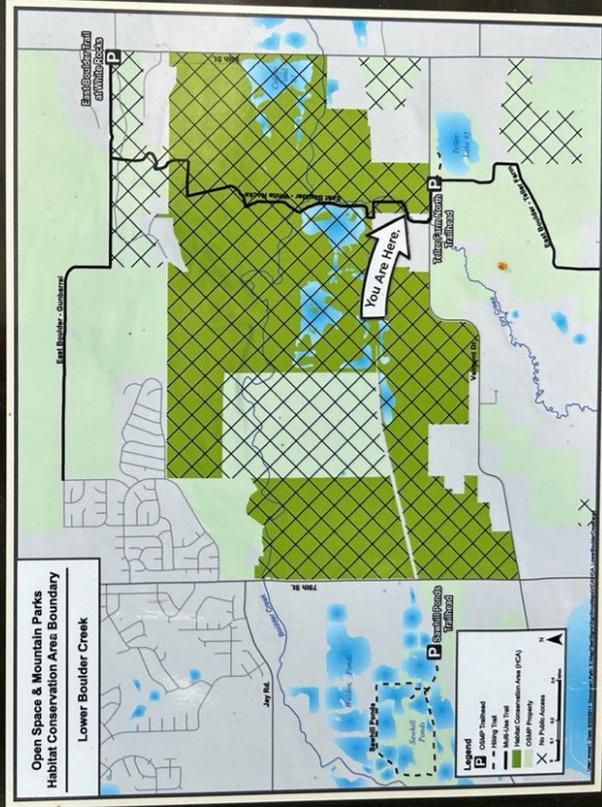


# Habitat Conservation Area

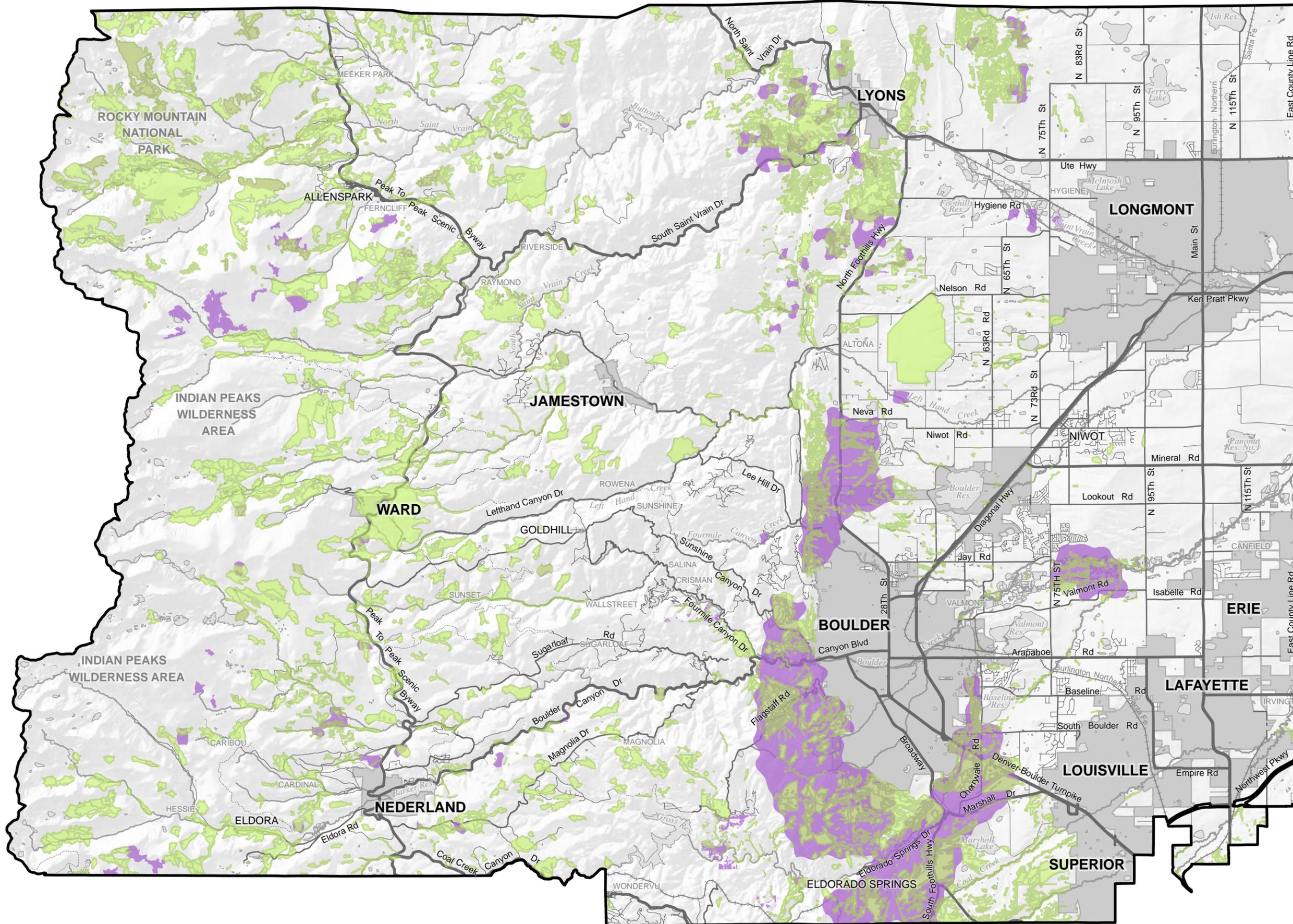
You are entering the Lower Boulder Creek Habitat Conservation Area. This designation protects and preserves fragile landscapes that are home to sensitive or rare plants and animals.

Special Regulations Apply in this Habitat Conservation Area:

- Travel on Designated Trails Only
- Off-Trail Access is **Prohibited**
- **Dogs are Prohibited** on White Rocks Trail



For information about Habitat Conservation Areas, please



# Rare Plant Areas & Significant Natural Communities

## Environmental Resources Element

Significant Natural Communities

Significant Natural Communities are areas that are recognized by the presence of a critical plant association that is limited in its distribution and occurrence. These areas have multiple important environmental resources that co occur and interact. These areas have species and processes that are relatively undisturbed by human actions and currently exist in their natural state.

Data compiled from the following sources entities: Boulder County, City of Boulder, Rocky Mountain National Park, United States Forest

Rare Plant Areas

Significant natural communities, including significant riparian communities and rare plant sites, should be conserved and preserved to retain living examples of natural ecosystems, furnish a baseline of ecological processes and function, and enhance and maintain the biodiversity of the region.

Source scale is 1:50,000

Note: Map scale and reproduction method limit precision in physical features and boundary locations.

Adopted Dec. 14, 2022  
Planning Commission

Printed 2/8/2023



1" = 2.5 miles  
1:158,400





## Boulder County Plant Species of Special Concern and Significant Natural Communities

As described in the recently updated Goals and Policies of the Environmental Resources Elements (the ERE) of the Boulder County Comprehensive Plan, Species of Special Concern include the flora and fauna in the county whose populations may be threatened or endangered, locally rare, experiencing long-term non-cyclical population declines, isolated or restricted to distinct local habitat types, or native species which have ceased to exist within Boulder County. As provided for in Goal B.2 of the ERE, the Boulder County Species of Special Concern List (SSC List) includes this compilation of rare plants and significant natural communities of special status that warrant protection in order to prevent population or habitat loss. The list was developed through consultation with botany and plant ecology professionals in federal, state, and local governmental agencies, non-governmental conservation organizations, local universities, and private consultants, as well as Boulder County conservation experts. The majority of species and communities appearing on this list are recognized by the Colorado Natural Heritage Program (CNHP). CNHP is a non-profit organization sponsored by Colorado State University that tracks and ranks Colorado's rare and imperiled species and habitats. The list comprises species CNHP ranks as critically imperiled, imperiled, or vulnerable to extirpation globally (G1-G3) or statewide (S1-S3). Species ranked as apparently secure or demonstrably secure (G4-G5, S4-S5) are excluded from the list, unless they satisfy other criteria below.

The SSC List is intended to comprehensively document Boulder County species and communities as they exist today. To be listed on the SSC List, a species/community must meet at least one of the required or two or more of the conditional criteria. In some instances, a species has been included on the list even though it does not meet the SSC List criteria. This is based on professional judgment and only occurs with species for which there is presently incomplete or uncertain information available. The list will be updated as more information is learned about individual species or communities including changes to their status. Areas where these resources are known to occur or have a likelihood of occurring are illustrated on the respective maps of the Environmental Resource Element.

### Criteria for Designating Plant Species of Special Concern and Significant Natural Communities

#### Required

1. Species/Communities with Federal Status (listed or proposed threatened or endangered -- LT, LE, PT), candidates for listing -- C or under review for listing), e.g., Ute ladies'-tresses orchid (*Spiranthes diluvialis*) LT, G2G3/S2 (U.S. Fish and Wildlife Service 2013, CNHP 2013);
2. All G1-G2 and S1-S2 species that are not also federally listed;
3. Collectable/Harvestable: Species threatened by collection or harvest including showy varieties of orchids, lilies, penstemon, and cacti;

#### Conditional

4. Species/communities with U.S. Forest Service Region 2 (USFS R2) sensitive species,<sup>1</sup> National Park Service (NPS) sensitive species within Rocky Mountain National Park (RMNP)<sup>2</sup>, or City of Boulder Open Space and Mountain Parks (OSMP) sensitive status;

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<sup>1</sup>This criterion acknowledges that USFS R2 boundaries extend beyond Boulder County and encompass habitats that do not occur within the county, thus not all USFS R2 sensitive species appear on the SSC List.

5. Species/communities that could occur within Boulder County based on known records from adjacent counties or based on known suitable habitat in Boulder County for the species and that CNHP ranks as critically imperiled, imperiled, or vulnerable to extirpation either globally (G1 – G3) or statewide (S1 – S3), e.g., autumn willow (*Salix serissima*) – G4/S1 and American black currant (*Ribes americanum*) – G5/S2;
6. Relictual species/communities having undergone a documented long-term decline or having a critically low population size relative to their historic presence and/or relative abundance in a given ecosystem, e.g., American groundnut (*Apios americana*) – G5/S1 and big bluestem – prairie dropseed (*Andropogon gerardii* – *Sporobolus heterolepis*) Western Foothills Grassland – G2/S1;
7. Species/communities endemic to Boulder County or region,<sup>3</sup> e.g., Colorado aletes (*Aletes humilis*) – G2G3/S2S3 and Bell’s Twinpod (*Physaria bellii*) – G2G3/S2S3;
8. Species/communities known or thought to be extinct or extirpated in Boulder County, i.e., species that historically occupied and are native to Boulder County, that may exist in surrounding regions, and that may be able to repopulate Boulder County, e.g. manyhead sedge (*Carex sychnocephala*) – G5/SH;
9. Species/communities whose populations in the County that are vulnerable to threats<sup>4</sup> affecting their populations either directly or indirectly, e.g. limber pine (*Pinus flexilis*);
10. Species/communities that have a disproportionately large effect on the diversity within the ecosystem(s) they inhabit e.g., montane riparian forests such as quaking aspen/thinleaf alder (*Populus tremuloides* / *Alnus incana*) Riparian Forest – G3/S4;
11. Species/communities that are either naturally rare,<sup>5</sup> at the edge of their range in Boulder County, or are isolated or imperiled, e.g., black spleenwort (*Asplenium adiantum-nigrum*) – G5/S1, montane willow carrs such as *Salix bebbiana* Wet Shrubland – G3/S2, and alkali wetlands such as *Suaeda calceoliformis* Wet Meadow – GNR/SU;
12. Species/communities that support sensitive wildlife, e.g., Western hops (*Humulus neomexicanus*), the only host plant for the Hops Azure (*Celestrina humulus*) – G2G3/S2 Northwestern Plains Grassland (*Andropogon gerardii* – *Schizachyrium scoparium*) dominated by big and little bluestem, two native host plants for Arogos skipper (*Atrytone arogos*) – G2/G3/S2.

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<sup>2</sup> This criterion acknowledges that that NPS RMNP boundaries extend beyond Boulder County and encompass habitats that do not occur within the county, thus not all NPS RMNP sensitive species appear on the SSC List.

<sup>3</sup> Species/communities endemic to Boulder County region indicates a species occurring only in Boulder County and in an adjacent county or counties.

<sup>4</sup> Direct or indirect threats to the stability of species populations or communities include disturbances such as climate change, disease, residential or commercial development, fire suppression, mechanical forest thinning, prescribed fire, etc.

<sup>5</sup> Species or communities that are “naturally rare” normally occur in low abundance throughout their range. While their populations may be stable, species that are rare on the landscape are more vulnerable to extirpation compared to species with large populations.

Boulder County Species of Special Concern and Significant Natural Communities

State Scientific Name	State Common Name	CNHP Global Rank	CHNP State Rank	Other Agency Ranking
<b>GYMNOSPERMS</b>				
<i>Pinus aristata</i>	bristlecone pine	Unranked	Unranked	BCPOS
<i>Pinus flexilis</i>	limber pine	Unranked	Unranked	BCPOS
<b>FERNS &amp; FERN ALLIES</b>				
<i>Argyrochosma fendleri</i>	Fendler's false cloak-fern	G3	S3	
<i>Asplenium adiantum-nigrum (A. andrewsii)</i>	black spleenwort	G5	S1	OSMP
<i>Asplenium septentrionale</i>	forked spleenwort	G5	S3S4	RMNP, OSMP
<i>Asplenium trichomanes</i>	maidenhair spleenwort	Unranked	Unranked	OSMP
<i>Athyrium filix-femina</i>	common lady-fern	Unranked	Unranked	OSMP
<i>Botrychium campestre var. lineare</i>	prairie moonwort	G3	S2S3	SWAP Tier 2, USFS
<i>Botrychium echo</i>	reflected moonwort	G3	S3S4	RMNP, OSMP
<i>Botrychium furculatum</i>	redbank moonwort	G4	S3	
<i>Botrychium hesperium</i>	western moonwort	G4	S3	RMNP
<i>Botrychium lanceolatum var. lanceolatum</i>	lanceleaf moonwort	G5T4T5	S3	RMNP
<i>Botrychium minganense</i>	Mingan moonwort	G5	S3	RMNP, OSMP
<i>Botrychium pinnatum</i>	northern moonwort	G5	S2	
<i>Botrychium simplex</i>	least moonwort	G5	S2	
<i>Botrychium simplex var. compositum</i>	least moonwort	G5T3T4	S1	
<i>Botrychium simplex var. simplex</i>	least moonwort	G5T3T4	S2	
<i>Botrypus virginianus</i>	rattlesnake fern	G5	S1	OSMP
<i>Cheilanthes fendleri</i>	hardy fern	Unranked	Unranked	OSMP
<i>Dryopteris expansa</i>	spreading woodfern	G5	S1	RMNP
<i>Dryopteris filix-mas</i>	male fern	Unranked	Unranked	OSMP
<i>Equisetum variegatum (Hippochaete variegata)</i>	variegated scouringrush	G5	S3	RMNP
<i>Isoetes occidentalis</i>	western quillwort	G4G5	S1	
<i>Isoetes tenella (I.echiniospora)</i>	spiny-spore quillwort	G5?T5?	S2	RMNP
<i>Pellaea wrightiana</i>	Wright's cliffbrake	G5	S2	OSMP
<i>Polypodium hesperium</i>	western polypody	G5	S1S2	RMNP
<i>Polypodium saximontanum</i>	Rocky Mountain polypody	G3?	S3	OSMP
<i>Selaginella weatherbiana</i>	Weatherby's spike-moss	G3G4	S3S4	OSMP
<b>NONVASCULAR</b>				
<i>Anacolia laevisphaera</i>	anacolia moss	G5?	S1S3	
<i>Anacolia menziesii</i>	Menzies' anacolia moss	G4	S1S3	
<i>Andreaea rupestris</i>	andreaea moss	G5	S1S3	RMNP
<i>Anoetangium handelii</i>		Unranked	Unranked	BCPOS
<i>Aulacomnium palustre var. imbricatum</i>	aulacomnium moss	G5TNR	S1S3	RMNP
<i>Brachythecium hyalotapetum</i>	brachythecium moss	Unranked	Unranked	BCPOS
<i>Bryoerythrophyllum ferruginascens</i>	bryoerythrophyllum moss	G3G4	S1S3	
<i>Bryum alpinum (Imbribryum alpinum)</i>	alpine bryum moss	G4G5	S1S3	
<i>Campylopus schimperi</i>	Schimper's campylopus moss	G3G4	S1S3	RMNP
<i>Didymodon anserinocapitatus</i>		G1	S1	
<i>Grimmia mollis (Hydrogrimmia mollis)</i>	grimmia dry rock moss	G5	S1S3	RMNP
<i>Grimmia teretinervis</i>	grimmia dry rock moss	G3G5	S1S3	RMNP
<i>Gymnomitrium corallioides</i>		G4G5	S1S3	RMNP
<i>Hylocomiastrum pyrenaicum</i>	hylocomiastrum moss	G5	S1S3	RMNP
<i>Hylocomium alaskanum</i>	splendid feather moss	G5	S1S3	RMNP
<i>Leptopterigynandrum austro-alpinum</i>	alpine leptopterigynandrum moss	G3G5	S1S3	RMNP
<i>Mnium blyttii</i>	Blytt's calcareous moss	G5?	S1S3	RMNP

Boulder County Species of Special Concern and Significant Natural Communities

State Scientific Name	State Common Name	CNHP Global Rank	CHNP State Rank	Other Agency Ranking
<i>Nardia geoscyphus</i>		G5	S1S3	RMNP
<i>Oreas martiana</i>	oreas moss	G5?	S1S3	RMNP
<i>Plagiothecium cavifolium</i>	plagiothecium moss	G5	S1S3	RMNP
<i>Pleurozium schreberi</i>	Schreber's big red stem moss, feathermoss	G5	S1S3	RMNP
<i>Pohlia tundrae</i>	tundra pohlia moss	G2G3	S1S3	RMNP
<i>Ptilium crista-castrensis</i>	knights plume moss	G5	S1S3	
<i>Rhytidiadelphus triquetrus</i>	rough goose neck moss	Unranked	Unranked	BCPOS
<i>Rhytidiopsis robusta</i>	robust rhytidiopsis moss	Unranked	Unranked	BCPOS
<i>Roellia roellii</i>	Roell's moss	G4	S1S3	RMNP
<i>Sphagnum angustifolium</i>	narrowleaf peatmoss	G5	S2	USFS
<i>Sphagnum contortum</i>	contorted sphagnum	G5	S1S3	RMNP
<b>MONOCOTS</b>				
<i>Acorus calamus</i>	sweet flag	G4?	S1	OSMP
<i>Aristida basiramea</i>	forked threeawn	G5	S2	OSMP
<i>Bromus pubescens (Bromopsis pubescens)</i>	hairy woodland brome	Unranked	Unranked	OSMP
<i>Calypso bulbosa</i>	fairly slipper orchid	Unranked	Unranked	OSMP
<i>Carex capitata ssp. arctogena</i>	capitate sedge	G5	S2	
<i>Carex conoidea</i>	openfield sedge	G5	S1	
<i>Carex crawei</i>	Crawe's sedge	G5	S1	
<i>Carex deweyana</i>	Dewey's sedge	Unranked	Unranked	OSMP
<i>Carex diandra</i>	lesser paniced sedge	G5	S2	USFS, RMNP
<i>Carex disperma</i>	soft-leaf sedge	Unranked	Unranked	OSMP
<i>Carex lasiocarpa</i>	whollyfruit sedge	G5	S2	
<i>Carex limosa</i>	mud sedge	G5	S2/S3	RMNP
<i>Carex livida</i>	livid sedge	G5	S1	USFS
<i>Carex oreocharis</i>	grassyslope sedge	G3	S3	RMNP, OSMP
<i>Carex sartwellii</i>	Sartwell's sedge	G5	S2	
<i>Carex saximontana</i>	Rocky Mountain sedge	G5	S2	OSMP
<i>Carex sprengelii</i>	Sprengel's sedge	G5	S2	OSMP
<i>Carex stenoptila</i>	river bank sedge	G3	S3	RMNP
<i>Carex sychnocephala</i>	manyhead sedge	G5	SH	
<i>Carex torreyi</i>	Torrey sedge	G4G5	S1	OSMP
<i>Corallorhiza striata</i>	striped coralroot	Unranked	Unranked	OSMP
<i>Corallorhiza wisteriana</i>	spring coralroot	Unranked	Unranked	OSMP
<i>Cypripedium fasciculatum</i>	clustered lady's slipper	G4	S3S4	RMNP
<i>Cypripedium parviflorum (C. calceolus ssp. parviflorum)</i>	lesser yellow lady's slipper	G5	S2	USFS
<i>Eriophorum gracile</i>	slender cottongrass	G5	S1S2	USFS
<i>Hesperostipa spartea</i>	porcupinegrass	Unranked	Unranked	OSMP
<i>Juncus brachycephalus</i>	smallhead rush	G5	S1	
<i>Juncus filiformis</i>	thread rush	Unranked	Unranked	BCPOS
<i>Juncus tweedyi (J. brevicaudatus )</i>	Tweedy's rush	G5	S1	RMNP
<i>Juncus vaseyi</i>	Vasey's rush	G5	S1	RMNP
<i>Kobresia simpliciuscula</i>	simple bog sedge	G5	S1	
<i>Lilium philadelphicum</i>	wood lily	G5	S3S4	RMNP, OSMP
<i>Lipocarpa aristulata (Hemicarpha micrantha )</i>	awned halfchaff sedge	Unranked	Unranked	BCPOS
<i>Listera borealis</i>	northern twayblade	G5	S2	RMNP

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<i>Listera convallarioides</i>	broadlipped twayblade	G5	S2	RMNP, OSMP
<i>Listera cordata</i>	heartleaf twayblade	Unranked	Unranked	BCPOS
<i>Luzula subcapitata</i>	Colorado wood rush	G3	S3	RMNP
<i>Malaxis monophyllos</i> ( <i>M. brachypoda</i> , <i>M. monophyllos</i> ssp. <i>brachypoda</i> )	white adder mouth orchid	G5T4T5	S1	USFS, OSMP
<i>Phippsia algida</i>	icegrass	G5	S2	
<i>Piperia unalascensis</i>	slender-spire orchid	Unranked	Unranked	OSMP
<i>Potamogeton diversifolius</i>	waterthread pondweed	G5	S1	OSMP
<i>Potamogeton epihydrus</i>	ribbonleaf pondweed	Unranked	Unranked	BCPOS
<i>Ruppia cirrhosa</i>	spiral ditchgrass	Unranked	Unranked	BCPOS
<i>Schizachne purpurascens</i>	false melic, purple oat	Unranked	Unranked	OSMP
<i>Sisyrinchium pallidum</i>	pale blue-eyed grass	G3	S3	BLM, RMNP
<i>Smilax lasioneura</i>	Blue Ridge carrionflower	G5	S3S4	OSMP
<i>Spiranthes diluvialis</i>	Ute ladies'-tresses	G2G3	S2	LT, SWAP Tier 1, OSMP
<b>DICOTS</b>				
<i>Aletes humilis</i>	Colorado aletes	G2G3	S2S3	RMNP
<i>Alsinoanthe stricta</i> ( <i>Minuartia stricta</i> )	bog stitchwort, rock sandwort	Unranked	Unranked	RMNP
<i>Amorpha nana</i>	dwarf leadplant	G5	S2	OSMP
<i>Anagallis minima</i> ( <i>Centunculus minimus</i> )	Chaffweed	G5	S1	OSMP
<i>Antennaria howellii</i>	Howell's pussytoes	Unranked	Unranked	OSMP
<i>Apios americana</i>	American groundnut	G5	S1	OSMP
<i>Aquilegia saximontana</i>	Rocky Mountain blue columbine	G3	S3	RMNP
<i>Aralia nudicaulis</i>	wild sarsaparilla	Unranked	Unranked	OSMP
<i>Artemisia pattersonii</i>	Patterson's wormwood	G3G4	S2S3	RMNP
<i>Artemisia tridentata</i> ssp. <i>vaseyana</i> ( <i>Seriphidium vaseyanum</i> )	mountain sagebrush	Unranked	Unranked	BCPOS
<i>Asclepias stenophylla</i>	narrow-leaved milkweed	G4G5	S2	OSMP
<i>Astragalus canadensis</i>	Canadian milkvetch	Unranked	Unranked	OSMP
<i>Astragalus sparsiflorus</i>	Front Range milkvetch	G2	S2	SWAP Tier 2
<i>Betula papyrifera</i>	paper birch	G5	S1	OSMP
<i>Castilleja puberula</i>	shortflower Indian paintbrush, downy indian-paintbrush	G3	S2S3	SWAP Tier 2, RMNP
<i>Chionophila jamesii</i>	Rocky Mountain snowlover	G4?	S3S4	RMNP
<i>Chrysosplenium tetrandrum</i>	northern golden saxifrage	Unranked	Unranked	BCPOS
<i>Claytonia rubra</i>	redstem springbeauty	G5	S1	
<i>Corylus cornuta</i>	beaked hazelnut	Unranked	Unranked	OSMP
<i>Crataegus chrysoarpa</i>	fireberry, yellow hawthorn	G5	S1	
<i>Crocanthemum bicknellii</i> ( <i>Helianthemum bicknellii</i> )	hoary frostweed	G5	S2	OSMP
<i>Draba crassa</i>	thickleaf draba	G3G4	S3	RMNP
<i>Draba exunguiculata</i>	clawless draba	G2	S2	SWAP Tier 2, USFS
<i>Draba fladnizensis</i>	Austrian draba, arctic draba	G5	S3	RMNP
<i>Draba grayana</i>	Gray's draba	G3	S3	SWAP Tier 2, USFS, RMNP
<i>Draba streptobrachia</i>	alpine tundra draba	G3	S3	RMNP
<i>Drymaria effusa</i> var. <i>depressa</i>	pinewoods drymaria, spreading drymaria	G4T4	S1	RMNP

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<i>Eustoma exaltatum</i> ssp. <i>russellianum</i> ( <i>Eustoma grandiflorum</i> )	showy prairie gentian	G5T5?	S3S4	OSMP
<i>Humulus neomexicanus</i>	common hop	Unranked	Unranked	OSMP
<i>Lactuca biennis</i>	tall blue lettuce	Unranked	Unranked	OSMP
<i>Lactuca canadensis</i>	Canada lettuce	Unranked	Unranked	OSMP
<i>Lemna minuta</i>	least duckweed	Unranked	Unranked	BCPOS
<i>Liatris ligulistylis</i>	Rocky Mountain blazing star, gay-feather	G5?	S2	RMNP, OSMP
<i>Machaeranthera coloradoensis</i>	Colorado tansyaster	G3	S3	USFS
<i>Menyanthes trifoliata</i>	buckbean	Unranked	Unranked	BCPOS
<i>Mentzelia sinuata</i> ( <i>Mentzelia speciosa</i> ; <i>Nuttallia sinuata</i> ; <i>Nuttallia multiflora</i> )	leechleaf blazingstar, wavy- leaf stickleaf	G3	S3	RMNP, OSMP
<i>Mimulus gemmiparus</i>	Rocky Mountain monkeyflower, budding monkeyflower	G1	S1	SWAP Tier 2, USFS, RMNP
<i>Oenothera coloradensis</i> ( <i>Gaura neomexicana</i> ssp. <i>coloradensis</i> )	Colorado butterfly plant	G3T2	S1	SWAP Tier 1, OSMP
<i>Osmorhiza longistylis</i>	longstyle sweetroot	Unranked	Unranked	OSMP
<i>Oxytropis parryi</i>	Parry's oxytrope	G5	S1	
<i>Packera debilis</i>	weak groundsel	G4	S1	
<i>Papaver radiculatum</i> ssp. <i>kluanense</i> ( <i>P. kluanense</i> , <i>P. lapponicum</i> ssp. <i>occidentale</i> )	rooted poppy, alpine poppy	G5T4	S3S4	RMNP
<i>Parnassia kotzebuei</i>	Kotzebue's grass of parnassus	G5	S2	USFS, RMNP
<i>Pediocactus simpsonii</i>	mountain ball cactus	G4	Unranked	BCPOS, OSMP
<i>Pediomelum argophyllum</i>	silverleaf Indian breadroot, silver-leaf scurf pea	Unranked	Unranked	BCPOS, OSMP
<i>Pediomelum esculentum</i>	large Indian breadroot	Unranked	Unranked	BCPOS
<i>Penstemon harbourii</i>	Harbour's beardtongue	G3G4	S3S4	RMNP
<i>Penstemon gracilis</i>	lilac penstemon	Unranked	Unranked	OSMP
<i>Pericome caudata</i>	mountain tail-leaf	Unranked	Unranked	OSMP
<i>Phacelia denticulata</i>	Rocky Mountain phacelia	G3	S2	
<i>Physaria bellii</i>	Bell's twinpod	G2G3	S2S3	SWAP Tier 2, OSMP
<i>Physaria bellii</i> x <i>vitulifera</i>	twinpod hybrid	GNA	S1	
<i>Physaria vitulifera</i>	fliddleleaf twinpod	G3	S3	OSMP
<i>Potentilla ambigens</i>	silkyleaf cinquefoil	G3	S2	
<i>Potentilla rupincola</i> ( <i>P. effusa</i> var. <i>rupincola</i> )	rock cinquefoil	G5T2	S2	SWAP Tier 2, USFS, RMNP
<i>Pyrola picta</i>	whiteveined wintergreen, pictureleaf wintergreen	G4G5	S3S4	RMNP
<i>Ranunculus abortivus</i>	littleleaf buttercup	Unranked	Unranked	OSMP
<i>Ranunculus gelidus</i> ssp. <i>grayi</i> ( <i>R. karelinii</i> )	ice cold buttercup, tundra buttercup	G5	S2	
<i>Rotala ramosior</i>	toothcup	G5	S1	OSMP
<i>Rubus pubescens</i> var. <i>pubescens</i> ( <i>Cylactis pubescens</i> )	dwarf red blackberry	Unranked	Unranked	OSMP
<i>Salix candida</i>	sageleaf willow	G5	S2	USFS
<i>Salix serissima</i>	autumn willow	G5	S1	USFS, RMNP
<i>Sanicula marilandica</i>	Maryland sanicula	Unranked	Unranked	OSMP
<i>Stuckenia vaginata</i>	sheathed pondweed	Unranked	Unranked	BCPOS
<i>Telesonix jamesii</i>	James's telesonix	G3G4	S3	SWAP Tier 2, RMNP
<i>Thelypodium sagittatum</i>	arrow thelypod	G4	S1	

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<i>Tonestus lyallii</i> ( <i>Haplopappus lyallii</i> )	Lyall's goldenweed	Unranked	Unranked	RMNP
<i>Triodanis leptocarpa</i>	slim-pod Venus's Looking-glass	G5?	S1	OSMP
<i>Utricularia minor</i>	lesser bladderwort	G5	S3	USFS
<i>Utricularia ochroleuca</i>	yellowishwhite bladderwort	G4G5	S1	
<i>Viola pedatifida</i>	prairie violet	G5	S2	OSMP
<i>Viola selkirkii</i>	Selkirk's violet	G5	S2	USFS, RMNP
SIGNIFICANT NATURAL COMMUNITIES				
<i>Abies lasiocarpa</i> - <i>Picea engelmannii</i> / Moss Forest	Subalpine Fir - Engelmann Spruce / Moss Forest	G4	SU	
<i>Achnatherum hymenoides</i> Shale Barren Grassland	Indian Ricegrass Shale Barren Grassland	G2	SU	
<i>Alnus incana</i> - <i>Salix</i> ( <i>monticola</i> , <i>lucida</i> , <i>ligulifolia</i> ) Wet Shrubland	Gray Alder - (Park Willow, Shining Willow, Strapleaf Willow) Wet Shrubland	G3	S3	
<i>Alnus incana</i> - <i>Salix drummondiana</i> Wet Shrubland	Gray Alder - Drummond's Willow Wet Shrubland	G3	S3	
<i>Alnus incana</i> / <i>Equisetum arvense</i> Wet Shrubland	Gray Alder / Field Horsetail Wet Shrubland	G3	S1	
<i>Alnus incana</i> / <i>Mesic Forbs</i> Wet Shrubland	Thinleaf Alder / Mesic Forb Riparian Shrubland	G3	S3	
<i>Alnus incana</i> / <i>Mesic Graminoids</i> Wet Shrubland	Gray Alder / Mesic Graminoids Wet Shrubland	G3	S2	
<i>Andropogon gerardii</i> - <i>Schizachyrium scoparium</i> Northwestern Plains Grassland	Big Bluestem - Little Bluestem Northwestern Plains Grassland	G2?	S2	
<i>Andropogon gerardii</i> - <i>Sorghastrum nutans</i> West-Central Plains Grassland	Big Bluestem - Indiangrass West-Central Plains Grassland	G2	S2	
<i>Andropogon gerardii</i> - <i>Sporobolus heterolepis</i> Western Foothills Grassland	Big Bluestem - Prairie Dropseed Western Foothills Grassland	G2	S1	
<i>Betula glandulosa</i> / <i>Sphagnum</i> spp. Shrub Fen	Dwarf Birch / Sphagnum Shrubland	G2	S2	
<i>Betula occidentalis</i> / <i>Maianthemum stellatum</i> Wet Shrubland	Water Birch / Starry False Lily-of-the-Valley Wet Shrubland	G4?	S3	
<i>Betula occidentalis</i> / <i>Mesic Graminoids</i> Wet Shrubland	Water Birch / Mesic Graminoids Wet Shrubland	G3	S2	
<i>Bouteloua gracilis</i> - <i>Bouteloua hirsuta</i> Grassland	Blue Grama - Hairy Grama Grassland	G3G4	SU	
<i>Bouteloua gracilis</i> - <i>Bouteloua dactyloides</i> Grassland	Blue Grama - Buffalograss Grassland	G4	S2?	
<i>Calamagrostis stricta</i> Wet Meadow	Slimstem Reedgrass Wet Meadow	GU	S2S3	
<i>Caltha leptosepala</i> Wet Meadow	White Marsh-marigold Wet Meadow	G4	S4	
<i>Carex aquatilis</i> / <i>Sphagnum</i> spp. Fen	Water Sedge - Peatmoss species Fen	G2G3	S2S3	
<i>Carex diandra</i> Wet Meadow Fen	Lesser Panicked Sedge Wet Meadow Fen	GNR	S1	
<i>Carex lasiocarpa</i> Fen	Woolly-fruit Sedge Fen	G4?	S1	
<i>Carex praegracilis</i> Wet Meadow	Clustered Field Sedge Wet Meadow	G3G4	S2	
<i>Carex rupestris</i> - <i>Trifolium dasyphyllum</i> Alpine Turf	Curly Sedge - Alpine Clover Alpine Turf	G3G4	S1	
<i>Carex saxatilis</i> Fen	Rock Sedge Fen	G3	S1	
<i>Celtis laevigata</i> var. <i>reticulata</i> / <i>Pseudoroegneria spicata</i> Wet Scrub	Netleaf Hackberry / Bluebunch Wheatgrass Wet Scrub	G2G3	S1	

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<i>Cercocarpus montanus</i> / <i>Elymus lanceolatus</i> ssp. <i>lanceolatus</i> Shrubland	Mountain Mahogany / Griffith's Wheatgrass Shrubland	GU	S2	
<i>Cercocarpus montanus</i> - <i>Rhus trilobata</i> / <i>Andropogon gerardii</i> Shrubland	Mountain Mahogany - Skunkbush / Big Bluestem Shrubland	G2G3	S2	
<i>Cercocarpus montanus</i> / <i>Achnatherum scribneri</i> Shrubland	Alderleaf Mountain-mahogany / Scribner's Needlegrass Shrubland	G3	S3	
<i>Cercocarpus montanus</i> / <i>Hesperostipa comata</i> Shrubland	Alderleaf Mountain-mahogany / Needle-and-Thread Shrubland	G2	S2	
<i>Cercocarpus montanus</i> / <i>Hesperostipa neomexicana</i> Shrubland	Alderleaf Mountain-mahogany / New Mexico Feathergrass Shrubland	G2G3	S2	
<i>Corylus cornuta</i> Wet Shrubland	Beaked Hazelnut Wet Shrubland	G3	S1	
<i>Danthonia parryi</i> Grassland	Parry's Oatgrass Grassland	G3	S3	
<i>Deschampsia cespitosa</i> - Wet Meadow	Tufted Hairgrass - Wet Meadow	G4	S4	
<i>Distichlis spicata</i> Alkaline Wet Meadow	Salt Meadows	G5	S5	
<i>Eleocharis quinqueflora</i> Fen	Few-flower Spikerush Fen	G4	S4	
<i>Eleocharis rastellata</i> Marsh	Beaked Spikerush Marsh	G3	S2	
<i>Festuca thurberi</i> Subalpine Grassland	Thurber's Fescue Subalpine Grassland	G3	S1S2	
<i>Geum rossii</i> - <i>Trifolium</i> ssp. Alpine Turf	Ross' Avens - Clover species Alpine Turf	G3	S2	
<i>Glyceria grandis</i> Wet Meadow	American Mannagrass Wet Meadow	G2?	S1	
<i>Hesperostipa comata</i> - <i>Achnatherum hymenoides</i> Grassland	Needle-and-Thread - Indian Ricegrass Grassland	G2?	S1	
<i>Hesperostipa comata</i> - <i>Bouteloua gracilis</i> Central Grassland	Needle-and-Thread - Blue Grama Central Grassland	GNR	S2	
<i>Hesperostipa comata</i> Colorado Front Range Grassland	Needle-and-Thread Colorado Front Range Grassland	G1G2	S2	
<i>Hesperostipa neomexicana</i> Grassland	New Mexico Feathergrass Grassland	G3	S2	
<i>Juncus parryi</i> / <i>Sibbaldia procumbens</i> Alpine Snowbed	Parry's Rush / Creeping Sibbaldia Alpine Snowbed	G3G4	S1	
<i>Kobresia myosuroides</i> - <i>Carex rupestris</i> var. <i>drummondiana</i> Alpine Turf	Bellardi Bog Sedge - Drummond's Sedge Alpine Turf	G3	S1	
<i>Muhlenbergia montana</i> Grassland	Mountain Muhly Grassland	G3G4	S2	
<i>Muhlenbergia montana</i> - <i>Hesperostipa comata</i> Grassland	Mountain Muhly - Needle-and-Thread Grassland	G1G2	S2	
<i>Pascopyrum smithii</i> - <i>Eleocharis</i> spp. Wet Meadow	Western Wheatgrass - Spikerush species Wet Meadow	G1	S1	
<i>Picea engelmannii</i> / <i>Trifolium dasyphyllum</i> Forest	Engelmann Spruce / Alpine Clover Forest	G2?	S2	
<i>Picea pungens</i> / <i>Alnus incana</i> Riparian Woodland	Blue Spruce / Gray Alder Riparian Woodland	G3	S3	
<i>Picea pungens</i> / <i>Betula occidentalis</i> Riparian Woodland	Blue Spruce / Water Birch Riparian Woodland	G2	S2	
<i>Picea pungens</i> / <i>Linnaea borealis</i> Forest	Blue Spruce / Twinflower Forest	G4	SU	
<i>Pinus flexilis</i> / <i>Arctostaphylos uva-ursi</i> Woodland	Limber Pine / Kinnikinnick Woodland	G4	S1	
<i>Pinus flexilis</i> / <i>Juniperus communis</i> Woodland	Limber Pine / Common Juniper Woodland	G5	S5	

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<i>Pinus ponderosa</i> / <i>Artemisia tridentata</i> ssp. <i>vaseyana</i> Woodland	Ponderosa Pine / Mountain Big Sagebrush Woodland	GNR	S1	
<i>Pinus ponderosa</i> / <i>Carex inops</i> ssp. <i>heliophila</i> Woodland	Ponderosa Pine / Sun Sedge Woodland	G3G4	S1	
<i>Pinus ponderosa</i> / <i>Cercocarpus montanus</i> / <i>Andropogon gerardii</i> Open Woodland	Ponderosa Pine / Alderleaf Mountain-mahogany / Big Bluestem Open Woodland	G2	S2	
<i>Pinus ponderosa</i> / <i>Leucopoa kingii</i> Woodland	Ponderosa Pine / Spike Fescue Woodland	G3	S3	
<i>Pinus ponderosa</i> / <i>Muhlenbergia montana</i> Woodland	Ponderosa Pine / Mountain Muhly Woodland	G4G5	S2	
<i>Pinus ponderosa</i> var. <i>scopulorum</i> / <i>Purshia tridentata</i> Southern Rocky Mountain Woodland	Ponderosa Pine / Antelope Bitterbrush Southern Rocky Mountain Woodland	G3G5	S5	
<i>Pinus ponderosa</i> / <i>Schizachyrium scoparium</i> Woodland	Ponderosa Pine / Little Bluestem Woodland	G3G4	S1	
<i>Populus angustifolia</i> / <i>Alnus incana</i> Riparian Woodland	Narrowleaf Cottonwood / Gray Alder Riparian Woodland	G3	S3	
<i>Populus angustifolia</i> / <i>Betula occidentalis</i> Riparian Woodland	Narrowleaf Cottonwood / Water Birch Riparian Woodland	G3	S3	
<i>Populus angustifolia</i> / <i>Salix irrorata</i> Riparian Woodland	Narrowleaf Cottonwood / Dewystem Willow Riparian Woodland	G2	S2	
<i>Populus balsamifera</i> Woodland	Balsam Poplar Woodland	GU	S2	
<i>Populus deltoides</i> - ( <i>Salix amygdaloides</i> ) / <i>Salix (exigua, interior)</i> Floodplain Woodland	Eastern Cottonwood - (Peachleaf Willow) / (Narrowleaf Willow, Sandbar Willow) Floodplain Woodland	G3G4	S3	
<i>Populus tremuloides</i> / <i>Acer glabrum</i> Forest	Quaking Aspen / Rocky Mountain Maple Forest	G3	S3	
<i>Populus tremuloides</i> / <i>Alnus incana</i> Riparian Forest	Quaking Aspen / Gray Alder Riparian Forest	G3	S4	
<i>Populus tremuloides</i> / <i>Betula occidentalis</i> Riparian Forest	Quaking Aspen / Water Birch Riparian Forest	G3	S2	
<i>Populus tremuloides</i> / <i>Calamagrostis canadensis</i> Riparian Forest	Quaking Aspen / Bluejoint Swamp Forest	G3	SU	
<i>Populus tremuloides</i> / <i>Corylus cornuta</i> Forest	Quaking Aspen / Beaked Hazelnut Forest	G3	S1	
<i>Populus tremuloides</i> / <i>Lonicera involucrata</i> Forest	Quaking Aspen / Twinberry Honeysuckle Forest	G3	S1	
<i>Populus tremuloides</i> / <i>Ribes montigenum</i> Riparian Forest	Quaking Aspen / Gooseberry Currant Riparian Forest	G2	SU	
<i>Populus tremuloides</i> / <i>Vaccinium myrtillus</i> Forest	Quaking Aspen / Whortleberry Forest	G3	S1	
<i>Potamogeton natans</i> Aquatic Vegetation	Floating Pondweed Aquatic Vegetation	G5?	S1	
<i>Pseudotsuga menziesii</i> / <i>Betula occidentalis</i> Riparian Woodland	Douglas-fir / Water Birch Riparian Woodland	G3?	S2	
<i>Pseudotsuga menziesii</i> / <i>Paxistima myrsinites</i> Forest	Douglas-fir / Oregon Boxleaf Forest	G2G3	S2	

Boulder County Species of Special Concern and Significant Natural Communities

State Scientific Name	State Common Name	CNHP Global Rank	CHNP State Rank	Other Agency Ranking
<i>Purshia tridentata</i> / <i>Artemisia frigida</i> / <i>Hesperostipa comata</i> Shrubland	Antelope Bitterbrush / Prairie Sagewort / Needle-and-Thread Shrubland	G1G2	S1S2	
<i>Purshia tridentata</i> / <i>Muhlenbergia montana</i> Shrubland	Antelope Bitterbrush / Mountain Muhly Shrubland	G2	S2	
<i>Rhus trilobata</i> Moist Wet Shrubland	Skunkbush Sumac Moist Wet Shrubland	G3	S3	
<i>Rhus trilobata</i> Rocky Mountain Shrubland	Skunkbush Sumac Rocky Mountain Shrubland	G2	S2	
<i>Salix arctica</i> / <i>Salix nivalus</i> Dwarf Shrubland	Arctic Willow - Net-Veined Willow Shrubland	G2GQ	S2	
<i>Salix bebbiana</i> Wet Shrubland	Bebb's Willow Wet Shrubland	G3?	S2	
<i>Salix boothii</i> / <i>Calamagrostis canadensis</i> Shrubland	Booth Willow / Canadian Reed Grass Shrubland	G3G4Q	S1	
<i>Salix boothii</i> / <i>Carex utriculata</i> Shrubland	Booth's Willow / Beaked Sedge Shrubland	G4	S2	
<i>Salix boothii</i> / <i>Deschampsia caespitosa</i> / <i>Geum rossii</i> Wet Shrubland	Booth's Willow / Tufted Hairgrass - Ross' Avens Wet Shrubland	G4	S4	
<i>Salix boothii</i> Mesic Forbs Wet Shrubland	Booth's Willow / Mesic Forbs Wet Shrubland	G3	S3	
<i>Salix boothii</i> Mesic Graminoids Wet Shrubland	Booth's Willow / Mesic Graminoids Wet Shrubland	G3?	S3	
<i>Salix brachycarpa</i> / <i>Carex aquatilis</i> Wet Shrubland	Short-fruit Willow / Water Sedge Wet Shrubland	G2G3	S2	
<i>Salix drummondiana</i> / <i>Calamagrostis canadensis</i> Wet Shrubland	Drummond's Willow / Bluejoint Wet Shrubland	G3	S3	
<i>Salix geyeriana</i> - <i>Salix monticola</i> / <i>Calamagrostis canadensis</i> Wet Shrubland	Geyer's Willow - Park Willow / Bluejoint Wet Shrubland	G3	S2	
<i>Salix geyeriana</i> / <i>Calamagrostis canadensis</i> Wet Shrubland	Geyer's Willow / Bluejoint Wet Shrubland	G5	S2	
<i>Salix geyeriana</i> / <i>Carex aquatilis</i> Wet Shrubland	Geyer's Willow / Water Sedge Wet Shrubland	G3	S2	
<i>Salix monticola</i> / <i>Calamagrostis canadensis</i> Wet Shrubland	Park Willow / Bluejoint Wet Shrubland	G3	S3	
<i>Salix monticola</i> / <i>Carex aquatilis</i> Wet Shrubland	Park Willow / Water Sedge Wet Shrubland	G3	S2	
<i>Salix monticola</i> / <i>Carex utriculata</i> Wet Shrubland	Park Willow / Northwest Territory Sedge Wet Shrubland	G3	S3	
<i>Salix monticola</i> / Mesic Graminoids Wet Shrubland	Park Willow / Mesic Graminoids Wet Shrubland	G3	S3	
<i>Salix planifolia</i> / <i>Deschampsia caespitosa</i> Wet Shrubland	Diamondleaf Willow / Tufted Hairgrass Wet Shrubland	G2G3	S2	
<i>Salix wolfii</i> / Mesic Forbs Wet Shrubland	Wolf's Willow / Mesic Forbs Wet Shrubland	G3	S3	
<i>Schizachyrium scoparium</i> - <i>Bouteloua curtipendula</i> Western Great Plains Grassland	Little Bluestem - Sideoats Grama Western Great Plains Grassland	G3	S2	
<i>Spartina pectinata</i> Western Wet Meadow	Prairie Cordgrass Western Wet Meadow	G3?	S2	
<i>Suaeda calceoliformis</i> Wet Meadow	Pursh Seepweed Wet Meadow	GNR	SU	
<i>Symphoricarpos occidentalis</i> Shrubland	Western Snowberry Shrubland	G4G5	S4	
<b>SPECIES WITH THE POTENTIAL TO OCCUR IN BOULDER COUNTY</b>				
<i>Andraea heinemannii</i>		G3G5	S1S3	RMNP

Boulder County Species of Special Concern and Significant Natural Communities

State Scientific Name	State Common Name	CNHP Global Rank	CNHP State Rank	Other Agency Ranking
<i>Botrychium tunux</i>	Moosewort	G3G4	S2	
<i>Carex leptalea</i>	bristle-stalk sedge	G5	S1	RMNP
<i>Cystopteris montana</i>	mountain bladder fern	G5	S1	RMNP
<i>Draba porsildii</i>	Porsild's draba	Unranked	Unranked	RMNP
<i>Erocallis triphylla</i>	Dwarf spring beauty	G4?	S2	RMNP
<i>Heteranthera limosa</i>	blue mudplantain	Unranked	Unranked	BCPOS
<i>Lewisia rediviva</i>	Bitterroot	G5	S3	RMNP
<i>Myosurus apetalus var. montanus</i>	bristly mousetail	Unranked	Unranked	BCPOS
<i>Oligoneuron album (Solidago ptarmicoides, Unamia alba)</i>	prairie goldenrod	G5	S2	
<i>Potamogeton praelongus</i>	whitestem pondweed	G5	S1	
<i>Rhytidium rugosum</i>	golden glade-moss	G5	S1S3	RMNP
<i>Ribes americanum</i>	American black current	G5	S2	
<i>Sagittaria brevirostra</i>	shortbeak arrowhead	Unranked	Unranked	BCPOS

# Boulder County Species of Special Concern and Significant Natural Communities

## **DEFINITIONS**

### **Federal Status**

ESA, United States Endangered Species Act

LE, Listed Endangered

LT, Listed Threatened

C, Candidate for listing

### **Colorado Natural Heritage Program (CNHP)/NatureServe Imperilment Ranks\***

G-Rank: Global Rank, S-Rank: Colorado Rank

G/S1, Critically Imperiled

G/S2, Imperiled

G/S3, Vulnerable to extirpation, typically between 21-100 occurrences.

G/S4, Apparently secure

G/S5 Secure

G/S?, Unranked. Some evidence that species may be imperiled, but awaiting formal rarity ranking.

G/SU, Unrankable due to lack of information or substantially conflicting information.

G/SH, Possibly extirpated or extinct.

GQ, Indicates uncertainty about taxonomic status.

G/S#?, Indicates uncertainty about an assigned rank, or the rank has not yet been assessed.

G#T#, Trinomial rank (T) is used for subspecies or varieties. These species or subspecies are ranked on the same criteria as G1- G5.

GNR/SNR, Global not ranked/State not ranked. CNHP has not yet looked at this species.

TNR, Not yet ranked globally due to lack of information.

*\*Note: Where two numbers appear in a global or state rank, e.g., S2S3, the actual rank of the element falls between the two numbers. CNHP experts tend to round up to the more conservative number, e.g., if S2S3, consider the species a 'S2' until further information is available (Jill Handwerk, personal communication).*

### **(BLM) Bureau of Land Management Colorado Sensitive Species List**

Sensitive plant species or communities

### **(BCPOS) Boulder County Parks & Open Space Sensitive Status**

Sensitive species within Boulder County

### **(OSMP) City of Boulder Open Space and Mountain Parks Sensitive Status**

Sensitive plant species or communities as designated on OSMP lands.

### **(CPW) Colorado Parks and Wildlife State Wildlife Action Plan (SWAP)**

CPW Rare Plant Addendum to the SWAP (2015)

### **(RMNP) National Park Service, Rocky Mountain National Park Sensitive Status**

Sensitive species appearing on NPS' 'State Endangered, Threatened or Rare Species for Rocky Mountain National Park' list (NPS 2006).

### **(USFS) United States Forest Service Sensitive Status**

Indicates a sensitive species designated by the USFS Rocky Mountain Regional Forester to occur on USFS managed lands within Boulder County.

**From:** [Richard O'Brien](#)  
**To:** [OSBT-Web](#)  
**Cc:** [Owen Latham Martin](#)  
**Subject:** Proposed BERT trail and Sawhill Ponds  
**Date:** Sunday, August 25, 2024 6:42:28 AM

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**External Sender Notice** This email was sent by an external sender.

Dear Open Space Board members,

Thank you for your service to the Boulder community.

There's an item on the September 11 Open Space Board meeting agenda that I'd like to address: the proposed BERT trail and the firefly habitat at Sawhill Ponds.

I live in Boulder and volunteer for DarkSky Colorado. This past summer, I helped a firefly research project led by CU Boulder doctoral student Owen Martin, and supported in part by OSMP. I studied firefly behaviour at Sawhill ponds, along the south edge of the park next to the abandoned railroad track that is proposed for the new BERT trail.

As you may know, fireflies are not common in Colorado. Only a half-dozen spots in the state have been identified as firefly habitat, and Sawhill Ponds is one of these rare locations.

I'm a supporter of trails on open space lands, and I think it might be possible for this trail to move forward without disturbing the sensitive firefly habitat at Sawhill Ponds. But it should perhaps be part of the discussion.

I plan to attend your Sept. 11 meeting virtually, and I hope there's an opportunity to discuss this issue.

Richard OBrien



Richard OBrien  
DarkSky Colorado

Pronouns: he | him | his ([what's this?](#))



**From:** [Wendy Sweet](#)  
**To:** [OSBT-Web](#)  
**Subject:** Public Comment Regarding BERT  
**Date:** Wednesday, September 11, 2024 12:59:53 PM

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**External Sender Notice** This email was sent by an external sender.

Dear Members of the Open Space Board of Trustees,

I am writing to express my support for the Boulder to Erie Regional Trail (BERT) and to offer my perspective on the proposed alignment.

I acknowledge and appreciate the concerns raised by OSMP staff regarding the ecological impacts of the BERT, particularly with respect to habitat fragmentation and the protection of sensitive species. These concerns are crucial for ensuring that our natural areas are preserved and protected.

I believe Alignment 1B, which utilizes the RTD Right of Way (ROW), offers an ideal balance between providing our community with a safe, dedicated trail and upholding our commitment to environmental conservation. This alignment uses an existing corridor that has already been impacted by human activity, thereby minimizing disruption to less-impacted natural areas. Supporting the BERT project with this alignment ensures a safe, car-free route for cyclists and pedestrians, which is crucial given our current climate crisis. Investing in such infrastructure is essential, as it provides a viable alternative to driving, reducing carbon emissions and furthering our sustainability objectives.

By avoiding less-disturbed ecological zones and staying within an established right-of-way, Alignment 1B represents the best compromise between enhancing recreational opportunities and protecting sensitive habitats. I recommend proceeding with this alignment without imposing seasonal closures, and instead, exploring other mitigation strategies to address environmental concerns effectively.

To mitigate potential impacts, I recommend adopting measures such as:

- **Ongoing Environmental Monitoring:** Regular assessments of the trail's impact on local wildlife and habitats.
- **Community Education:** Providing information to trail users about wildlife protection and minimizing human-wildlife conflicts.
- **Adaptive Management:** Flexibility to adjust trail management practices based on monitoring results and feedback.

By focusing on these proactive measures, we can help ensure that the BERT serves the needs of our growing community while minimizing its impact on the environment. I believe this approach will allow us to enhance connectivity and safety for cyclists and pedestrians while respecting our commitment to conservation.

Thank you for considering my comments and for your dedication to both community development and environmental stewardship.



**Wendy Sweet**  
Executive Director

[Boulder Mountainbike Alliance](#)

[REDACTED]  
Great communities build trails, and great trails build community.

**From:** [Rebecca Shannon](#)  
**To:** [OSBT-Web](#)  
**Subject:** Public Comments on BERT  
**Date:** Wednesday, September 11, 2024 10:46:00 AM

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**External Sender Notice** This email was sent by an external sender.

I am in favor of a path/trail that connects Boulder to Erie but I'm concerned about the cost of building a trail and then having extended closures on it. That doesn't seem to be a good use of taxpayer money. Surely there is a way to keep people off roads while also protecting habitat? Building a trail that is closed for more than half the year is just plain silly--and won't meet the County's goals of reducing cyclist/pedestrian deaths or injuries, won't get more people to commute by bike and again, would be a waste of money. Please find a way to build a trail that can be open to the public for the whole year.

For the record, I now work in Lafayette and would happily commute from Boulder to East County if there was a safe way to cross 287 and an enjoyable trail, separated from the traffic on 287/95th/South Boulder Rd, etc.

--

Rebecca Shannon  
Gunbarrel CO

**From:** [Linda Andes-Georges](#)  
**To:** [OSBT-Web](#)  
**Cc:** [Russell, Leah](#)  
**Subject:** written comments for OSMP-BoT tonight re: BERT  
**Date:** Wednesday, September 11, 2024 7:31:07 AM

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**External Sender Notice** This email was sent by an external sender.

Dear Board of Trustees:

I want to express thanks to staff for an outstanding and thorough preparation packet for tonight. It covered a lot of ground, and the maps and charts were wonderful. I especially appreciated your inclusion of the valuable and important input on the BERT plan from CPW and the OSMP biologists. But the in-depth look at MAD (HCA) designations was also outstanding.

I believe I know how this board feels about getting folks outside to recreate, one of the charter purposes of the OSMP program. But I am hoping now to lift up the conservation part of the charter directives, an essential part of your mission as trustees. I am hoping that if you give your blessing to the BERT trail, you will attach some very important reservations to your approval of the plan. The Open Space staff recommendation is a very good start. However, you can make it even stronger by attaching further recommendations to the BERT transportation planners. To make it easy for you: here are my suggestions.

<!--[if !supportLists]-->1) <!--[endif]-->Late though it may be, **do not reject alternate routes** which are being suggested late in the game, routes which would vastly reduce the green opposition to a dreadful, impactful bisection of major habitat and conservation areas, now supremely rare in our county. You yourselves have repeatedly opted for trails in Open Space in the past, most egregiously along the Sky Trail. My point is that there is precedent-- but it is based on the values on-the-site.

<!--[if !supportLists]-->2) <!--[endif]-->Strongly **advocate for mitigation measures in the plan at this point**; they are imperative here and must not wait for a subsequent "design phase." These will garner much better support from conservation adherents. Examples are (and all are needed):

<!--[if !supportLists]-->a. <!--[endif]-->posted rules on all trail ingress points; wildlife crossings like long and/or elevated culverts (staff should consult their biologists for due-diligence research on types);

<!--[if !supportLists]-->b. <!--[endif]-->skirting wetland areas wherever possible (for example, using the Sawhill access road instead of the ROW);

<!--[if !supportLists]-->c. <!--[endif]-->agreeing before the design phase to prohibit dogs between 61<sup>st</sup> and 95<sup>th</sup>, or east of the White Rocks trail; and dogs must be on leash everywhere -- cyclists will be

grateful;

<!--[if !supportLists]-->d. <!--[endif]-->wildlife-friendly fencing in appropriate locations; an overpass over 287 to preclude cyclists from crossing that major barrier (and a tunnel there will flood regularly).

<!--[if !supportLists]-->3) <!--[endif]-->**Closures** should be enacted, of course for the construction periods, but also for seasonal wildlife needs. You can see from the maps submitted by conservation groups that the 61<sup>st</sup> to 95<sup>th</sup> St habitat are peppered with former and ongoing raptor nests; feline, canine and ungulate regular use; and last stands of tallgrass, mixed grass, and wetlands prairie that serve fireflies, many species of butterfly, turtles, frogs, and other creatures. If you have never visited Sawhill or White Rocks at dawn or dusk, then you are missing much of the best of planet Earth.

The input requested by OSMP from CPW, and the advice from our own biologists is unequivocal: These areas should be protected. The buffer areas for current nests (not to mention the immense potential for nestsites nearby) are not a mere suggestion: for raptors they are a federal imperative.

We are submitting tonight a suggestion for an alternate route that will put conservation advocates in the Reluctant Approval column instead of the Vociferous Opposition column. I hope we get there.

Linda Andes-Georges  
(Member Board of Trustees 1994-2002)

Personal landscape: Now known as Boulder County (CO). We nest in shortgrass prairie whose caretakers for centuries were the Hinóno'úi (Arapaho) and Cheyenne Nations. Colorado's Front Range is also home to The Ute & many other Native peoples. Reconozco que vivo en el territorio de las naciones Hinóno'úi (Arapaho) y Cheyenne, según el 1851 Tratado de Fort Laramie; y que el estado de Colorado al esté de las Montañas Rocosas es territorio de Utes y muchos otros pueblos indígenas



# Parks and Recreation

October 3, 2024

Records Team  
Boulder County Commissioners' Office  
1325 Pearl Street  
Boulder, CO 80302

To the Board of County Commissioners,

I am writing to express the Town of Erie's continued support for Boulder to Erie Regional Trail. The Town of Erie and the members of our Open Space & Trails Advisory Board joins our counterparts on the City of Boulder's Open Space Board of Trustees (OSBT) in our **unanimous support for Alignment 1b** of the BERT Plan Draft. The Erie OSTAB and the Boulder OSBT independently identified Alignment 1b as the best alternative when considering the full spectrum of recreational, human health and safety, environmental, and mobility benefits.

Erie's OSTAB has prepared the below analysis to support our views that Alignment 1b is the best possible arrangement.

1. **We support County Staff's recommendations regarding CPW Guidelines.** We support the County staff's analysis and recommendations for mitigating ecological impacts on raptors near the railroad right-of-way. We urge the County not to impose seasonal closures that would prevent the use of the trail for up to nine months each year.
2. **Site-specific analysis and studies support Alignment 1b.** The locally based environmental consultants (ERO) commissioned for this study have confirmed that a "soft-surface regional trail *would not adversely impact* [emphasis added] the overall breeding success of raptors and herons nesting in the analysis area or contribute to an overall decline in the species locally or regionally."
3. **CPW's recommended buffers.** There is a gap between CPW's recommendations and the U.S. Fish and Wildlife Service's. Federal guidelines do not require closures for trails like the BERT. Federal guidelines<sup>1</sup> specify a 330-foot buffer for recreation around in-use bald eagle nests and a 660-foot buffer for linear infrastructure construction. In contrast, CPW recommends buffers of 1,320 feet and 2,640 feet, respectively, which are four times greater.
4. **Colorado's eagle population is soaring.** Earlier this year, NPR News reported that "CPW reported the highest numbers of bald eagles last year the state has ever seen – more than 300 nesting pairs."<sup>2</sup> This is consistent with trends nation-wide.<sup>3</sup> CPW is currently conducting a four-year study to determine why eagles appear increasingly tolerant of human activity in the state's urban centers.<sup>4</sup>
5. **Alignment 1b supports the Boulder County Comprehensive Plan.** These include goals concerning public health, including "Promoting Safe & Healthy Recreation and Connections to Nature" and "Supporting Transportation Safety & Accessibility."
6. **Across Erie, support for BERT is overwhelmingly positive.** The Town of Erie is among the fastest growing communities in Colorado and anticipates considerable continued growth over the next decade. Within the next two decades, Erie's updated Comprehensive Plan envisions our population more than

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<sup>1</sup> (See 50 CFR Parts 13 and 22, effective 4/12/2024; and as amended 9/18/2024)

<sup>2</sup> [www.kunc.org/news/2024-05-12/colorados-bald-eagles-are-soaring-in-numbers-wildlife-officials-say](https://www.kunc.org/news/2024-05-12/colorados-bald-eagles-are-soaring-in-numbers-wildlife-officials-say)

<sup>3</sup> <https://www.doi.gov/news/americas-bald-eagle-population-continues-soar>

<sup>4</sup> <https://www.rmpbs.org/blogs/news/colorados-bald-eagle-population-is-booming-in-urban-areas-the-state-is-trying-to-figure-out-why>

doubling in size from its current population of approximately 39,000. Regardless of neighborhood or political leanings, BERT enjoys near-universal support across our community.

7. **BERT will materially expand connectivity between multiple cities and towns.** Years ago, Erie constructed a trail that will connect the eastern terminus of BERT at E County Line Rd, to the Coal Creek Trail which is approximately 0.5 miles. Coal Creek Trail provides a safe route between Erie, Lafayette, Louisville, Superior and Broomfield.
8. **There are additional mitigation options to consider:**
  - a. Restore additional raptor nesting and foraging habitat in the area to offset potential impacts.
  - b. Fund additional research to augment that currently funded by CPW to evaluate the behavioral and demographic patterns of bald eagles along the Front Range.
  - c. Develop a plan to incrementally introduce use of the trail over time to allow raptors to the opportunity to habituate to human activity, as they have shown themselves capable of doing.

We believe it is premature to insist upon seasonal wildlife trail closures at this stage of the planning process. Phase 4 of the project, which includes the trailway stretch of concern, is the last construction phase and will likely not commence for another 5-10 years. Site conditions will most likely change in that period. Also, CPW buffer guidelines may be revisited because of the bald eagle study noted above.

We commend the BERT Project Team for their outstanding efforts and work product. Their obvious dedication to the residents of Boulder County and Town of Erie, extensive and transparent public engagement, professionalism, integrity, and perseverance in the face of many competing priorities is a model of good governance and public service. We strongly support the project team's continued collaboration with CPW and other experts and utilization of the best available science.

The BERT remains an opportunity to create a benefit for generations to come. Thank you for your attention to this matter, and please do not hesitate to reach out should you require any further information or clarification on our position with this project.

Sincerely,



Luke Bolinger, CPRP  
Director of Parks and Recreation  
Town of Erie

**OSTAB Members**

Ken Martin, Chair	Christine Felz, Vice Chair	Bill Rigler	Phil Brink	Joe Swanson
	David Tazik	Timothy Payne		

Entry Id	Name	Zip Code	Enter your comments on the Boulder to Erie Regional Trail (BERT) Plan. Please include the section name(s) or page number(s) your comment(s) refers to.	(optional) Upload your comment or letter	Date Created
121	Rena	80304	The sooner the better for this project. Boulder has lots of great commuter pathways but this would add a great recreational opportunity. Wish it hadn't taken a back seat to the 119 and 36 projects. Best of all this would not be right next to a major highway. I'm a big fan of rail trails and the awesome scenery along their routes. Hoping this one will be like those.		2024-09-06 10:40:14
122	Will	80516	After substantial community input, the proposed alignment is the best option to move this desperately needed project forward. The County Commissioners should support this proposed alignment and move forward into the development phase to create this crucial transit corridor that will improve safety for non-motorized transportation between Erie and Boulder, while addressing specific concerns about habitats, resources, etc. once in the survey/design phase. Existing regional and local trails show the value of this project, and it is high time we get it done.		2024-09-06 11:42:47
123	Eric	80516	I love this plan - lets go!		2024-09-06 12:41:02
124	Marcus	80304	I LOVE the idea of a trail that isn't closed seasonally as it will allow regional connectivity for my family on our gravel bikes to stay off of roadways that are currently required for connectivity.		2024-09-06 16:36:42
125	Jim	80516	I would suggest that two engineering studies could be completed in parallel for the Boulder Creek underpass modification and the proposed US287 underpass new construction. If the US287 underpass turns out to be grossly overpriced relative to the benefits, then perhaps work could begin sooner on the Boulder Creek option. I would also say the option should be kept open to phase the solution, if that's feasible. For example, update the underpass at Boulder Creek then phase in the larger construction project of a US287 underpass at a later time, if it is deemed necessary. Regardless, there MUST be at least TWO options for trail users to cross US287 safely, and not just one, in the event of flooding, failure of pumps, accidents, maintenance closures, etc. With only one option to cross US287, you are simply begging for users to attempt at-grade crossing, which WILL lead to fatalities. See, for example, the intersection of Foothills Parkway and Arapahoe Rd in Boulder where the underpass floods regularly in the springtime where at-grade crosswalks are provided.		2024-09-06 16:52:18
126	Sarah	80516	No seasonal closures. I'll looking to use this trail to commute to Boulder from Erie. Currently, riding on Isabelle is frightening, especially during rush hour. This should not be seen purely as a recreational trail but one to allow people to move about safe away from cars.		2024-09-06 18:32:15
127	Ryan	80031	I support more bike options! Thank you		2024-09-06 23:32:20
128	Janine	80516	I write in support of the rapid construction of the BERT. I commute by bike from Erie to Boulder twice a week, including along Isabelle where there is no real bike lane. I also have to ride along Valmont for several miles in heavy traffic on my commute home. A safe gravel trail would be a godsend for bike commuters to Boulder.		2024-09-07 01:23:49
129	Jason	80005	build the trail and keep it open all year long without seasonal closures. This will allow cyclists and other trail users to stay off public roadways and use the trail as a connection to many cycling routes.		2024-09-07 07:49:31
130	John	80301	As more and more people use trails there will be obvious conflict between the rural life and public recreating. We have seen the great need for people over using our natural resources. Government has had to provide shuttle busses from Nederland to the Hessie trail head bringing thousands of people to a sensitive area. Same is true with Brained Lake in Boulder Chitauqua Park area where the neighborhood has been invaded with parking issues to the point that busses now bring hikers to the area. I am concerned that this trail will harm the hawks and owls which nest on the trees on our property next to the proposed trail. I am concerned over the number of issues that hunting along the trail will cause during hunting season. I am concerned over the number of people who will file complaints over the skeet ranges along the path way. I am concerned over the increased need to parking lots in the rural areas. Please consider using existing trails to provide this path ways. I assume the this communication will be shared with the county commissioners.		2024-09-07 08:03:57
131	Josephine	80516	1. Pave the trail and use the hard bed of the train tracks for the path. This has been done extensively in many places including the trail in Ohio from Cincinnati - Dayton - Columbus. You do not need to reinvent construction techniques. A hard pack trail will not withstand the wet seasons of commuting bike traffic here and will be extensively rutted. Furthermore, it is not easily accessible to children and those with disabilities. 2. All street crossings should have flashing lights installed. 3. Create an under/over pass for 287.		2024-09-07 09:00:29
132	Russell	80301	I would love this trail! I am always looking for transportation access by bicycle in Boulder County.		2024-09-07 11:35:11
133	Clark	80516	I appreciate the extensive efforts that have gone into preparing the BERT Plan. However, after reading through the draft plan, namely the proposed seasonal wildlife closures (pgs. 160-167), I am left wondering - what has all of this planning been for if most of the trail between 63rd St and US 287 will be closed between December (the start of the bald eagle nesting season) and mid-September (the end of the osprey nesting season)? As an avid birder and wildlife lover, I understand the need to protect sensitive wildlife and their nesting habitats. However, the majority of the proposed closures represent instances in which the trail would be about the same distance as or further from the nest as other existing disturbances for which there are not seasonal closures or access limitations. Thus, it is not clear to me that the proposed closures are warranted. If all else were equal, I agree that the preferred alignment in the RTD ROW is preferable to the other alternatives. However, the draft BERT Plan would seem to make it clear that all else is not equal. A BERT alignment in the Valmont ROW that is accessible year-round is far preferable to a BERT alignment in the RTD ROW that is accessible three months per year. Thank you for your consideration.		2024-09-07 13:05:10
134	Bruce	80503	1. This is a very good plan, for a project that is long overdue. 2. You need an underpass under Hwy. 287 for safety. 3. Make sure that Class 1 & 2 ebikes are allowed. 4. Make sure signage is adequate, and don't forget other communities--- and not just Boulder and Longmont. If there are connections to trails leading to Lafayette or Louisville, the signs need to say so. And Niwot - just a reminder that Niwot is between Boulder and Longmont on the LoBo Trail, yet there is only ONE sign along the entire trail that says "Niwot." A wayfinding sign should be included in this project with directions to Niwot. 5. By the way, why are we spending so much time and money developing this plan (which is needed) while continuing to ignore that fact that the LoBo trail through Gunbarrel is not complete? You have eminent domain powers, and you should use them to create an offroad trail to close the multiple gaps. 6. And back to the underpass --- You need one here, but you also need one under the Longmont bound lane of Hwy 119 into Niwot. Smaller communities tend to get overlooked in these projects. The BOCC has finally directed staff to design an underpass to Niwot, but there is no funding for it, we are told. You need to fix and complete existing trails before beginning new projects.		2024-09-07 23:45:14
135	Robert	80304	I support the preferred alignment within the old UPRR right of way. Incidentally, I supported this same alignment some 25 years ago in the Boulder County Comp Plan. Please get this built while I can still ride my bike! This is long overdue. Thanks R Crifasi		2024-09-09 08:01:06

136	Matt	80301	Coalition 4 Cyclists, 501c3 ("C4C") supports the proposed alignment for the BERT and its construction. The BERT is an incremental expression of the network multi-modal elements of the Boulder County TMP. The sum of those elements are indicated for desired outcomes in safety, opportunity/livability, land-use, water conservation, emissions for health and climate, equity, and the environment. Moving the BERT to construction allows county staff to go on to the next soft surface trail project, the St. Vrain Greenway which is another network increment of the TMP and serves a geographically underserved part of Boulder County.		2024-09-09 09:25:25
137	Holly	80305	Yes! A more direct route to Erie is needed. In the 90's, I would bike to Erie via Valmont/Isabelle but I no longer feel safe on that route. Instead I go way out of my way via the Coal Creek Trail when I need to go to Erie. The old railway is a perfect corridor. However, a 5 month closure? That would be a wasted investment. If that's the case, find another way.		2024-09-09 10:43:30
138	Edward	80304	The rail trail sounds great to me. Thanks for all the hard work. Edward		2024-09-09 11:41:00
139	David	80503	I am all for this trail and trust the design team, just get it built		2024-09-09 12:44:51
140	Kristen	80027	Huge supporter of this project and cannot wait to see it completed!		2024-09-09 13:50:35
141	Salvador	80221	My vote is for the trail to be built and open all year long without seasonal closures		2024-09-09 15:24:28
142	Andrew	80027	I would love to see this east-west connection for cyclists. As traffic increases on our E/W roads, it is important to have an off road connection available for cyclists/pedestrians. It will be great to have connections between Boulder and Erie, along with a safer way to get to Teller farm.		2024-09-09 16:01:10
143	Erin	80305	The gravel soft surface is not good for commuting. I would use it more if it was hard surface. I a hard surface trial would also be better for kids, wheelchairs and strollers. I don't not support the trail being closed for raptors. I think they will be fine in the trees and will have plenty of small prey to hunt despite trail users. I feel that it would be a waste to spend that much money and have it closed for so many months out of the year.		2024-09-09 16:36:43
144	jeff	80304	I believe the BERT Plan should continue moving forward		2024-09-09 17:26:07
145	Bradley	80516	This project is a waste of taxpayer dollars. Fix and widen the roads in Boulder County before you add anymore trails. The bike trail along Hwy 36 is empty most of the time. BERT=Burdening Everyone Relentlessly Taxing.		2024-09-09 19:52:27
146	Charles	80027	I'm a bike commuter and recreational runner and was excited to see the idea of BERT. I've reviewed the detailed discussion around the different alignments and Hwy 287 crossing ideas and I'm thoroughly in agreement. Let's do option 1b with the underpass under 287. The cost of the underpass may be a little higher, but it will make the route extremely valuable as a rec. path and a commuter route. I would use this regularly and can't wait to see it in reality! Keep up the good work!		2024-09-09 21:19:34
147	Betina	80466	It is important to me that trail alignment fully respects and protects critical wildlife and habitat in this area. CPW and local wildlife expertise should be followed to the letter. You will have to closely monitor impacts because bikers in our area have a longstanding and damaging side trail building habit that no one corrects. "Stay the Trail" education and enforcement will be necessary. I look forward to a sustainable trail for ALL users -not just bikes.		2024-09-11 07:32:47
148	Daniel	80301	I live in East Boulder near the terminus of this proposed trail. I bike everywhere, it's my main form of transportation and recreation. As of right now it is impossible to get to Erie by bike. This is a shame because Erie has a great downtown to visit and lots of fantastic bike destinations like the pump track and one of the very few velodromes in the US. So while I'm exciting about many proposed bike route improvements, e.g., to Longmont and Lyons, I personally can already get to those places (those routes definitely still need improvement, don't get me wrong). This project makes it even possible to get to Erie by bike. Again I bike everywhere, and have biked for transportation in way worse places than Colorado, but I will not bike on Isabelle road anymore. Even though it's not far, that entirely cuts off Erie as a destination to bike. I read through the whole proposal I'm enthusiastically supporting the recommendation of the study to continue on with 1b. I will definitely use it for transportation and recreation. I know many cyclists that will use it recreation. It's a rare opportunity to create a beautiful trail, removed from motor vehicles. I'm personally in favor of taking over the tracks entirely and would like to see that considered. It seems like there is a lot of consternation over this. I love public transportation and trains. When I'm not biking somewhere, I am one of the few people that use public transportation. I avoid single occupancy vehicle at all costs. But there is no practical use for passenger rail between Boulder and Erie. The ridership isn't there and, given that trains are mostly lauded by people afraid of buses, there is no supporting transportation system to get users to or from the train at either town. We need to build a better bus system and to reduce the stigma surrounding it. So, while I know it's not really on the table, I fully support rails to trails conversion for this segment of track. If the public transportation landscape were to dramatically and impossibly change in the near future, we could just pave it and run a bus line down the same path. I urge the planners and RTD to seriously consider a rails to trails project with this in mind. Regardless of the implementation, I fully support this trail, I will use it, I think it is necessary, and I think I will do good things for the town of Erie. Let's build it!!		2024-09-11 18:29:34
149	Alexander	80301	My wife Leslie and I have lived, raised our family, ran a farm, held 11 fundraising Farm to Table dinners for local prominent non-profits, got married, had our daughter married and hosted numerous weddings, retirement parties, birthday parties and Barmitzvahs for community members during our 33 years at our home at 7929 Valmont (Whimsy Farm). We border the open space that was formerly the ERTL Property and see the RTD railroad track from our home. I tell you this because we are as familiar with the nature and ecosystem of this area as anyone. It is truly a wildlife sanctuary. There was a herd of elk that lived there not long ago. Every early morning a herd of deer tromp through our property. My beehives were destroyed by a bear. My adult daughter saw a mountain lion in our backyard one evening. Every single night the coyotes sing here loudly. I gave up raising chickens, ducks and guinea hens because I could not protect them from the predators: coyote, fox, mink, skunk, and raccoon; but particularly the mink. Bald eagles you know of, as well as Great Blue Herons, Sandhill Cranes, numerous species of ducks and other water birds. All winter we hear and often see Great Horned Owls. I could go on and on listing the fauna and flora that we know of here. And there is certainly more than we know. But of all the wildlife we have been lucky, and sometimes cursed to live with, the most amazing to ourselves and so many of the community members we have shared this land with, the most wondrous is population of native Colorado Fireflies that live just below us and light up the nights in our yard and the marsh much of June and early July. Fireflies only exist in rare pockets in Colorado. This is one of them. And you would not know they are there unless you were here during their mating at night. They are extremely sensitive to human encroachment and are at risk worldwide, but particularly in Colorado because they only live in small pockets where there is a unique microclimate and habitat. The Butterfly Pavilion is studying them, and attempting to breed them in captivity to protect and reintroduce native Colorado fireflies where they at risk or have been lost. Dr. Orit Peleg and Owen Martin from CU Boulder are studying them and working to locate Colorado's rare pockets of them. We want to ask that in the creation of this new largest trail in Boulder County that you do everything in your power to protect the Fireflies here, along with the other natural fauna and flora that lives here. It is likely a small area that is as diverse and heavily populated with wildlife as Rocky Mountain National Park. That the trail will be constructed seems inevitable. But how it is constructed and managed is critical lest the endeavor degrade or destroy this extraordinary part of Boulder County. It is a precious natural resource and should be treated as such. Please reach out to the Butterfly Pavilion and Dr. Peleg for guidance, as well as other naturalists and ecologists that can provide guidance. Thank you -Sandy (Alexander) and Leslie Brown We reference all parts of the document related to Environmental Considerations	image.jpg	2024-09-12 09:04:43

150	Meghan	80301	Page 132 - We live at 7103 Valmont Road, just south of the Biddle BCPOS property farmed by Golden Hoof. We support this trail alignment. As it stands Valmont road is narrow and drivers constantly speed on it or pass on the double yellow lines. I have used it to bike and run into town and it is a really unpleasant section from 75th to 61st, both ways. This BERT trail would allow us to more safely travel in and out of Boulder. I imagine you might get push back from some of the other neighbors on our road because they have enjoyed the privacy of the area and the private ponds/lakes in this area. But we're in support of this project.		2024-09-13 13:45:56
151	Tabitha	80301	The proposed plan is very destructive to the diverse wildlife that inhabits the railway track and surrounding areas. We have everything from eagles to bobcats back there. If decisions are made that destroys our open space and wildlife, it will not be long before Boulder is nothing more than a city suburb. If we want Boulder to continue to be the beautiful place that it is, we need to protect these pockets of wildlife. I understand that this means we are not developing as much space for human use, but that is the compromise that we must make in order to keep Boulder beautiful. This plan needs rethinking and rerouting off the railway track between 75th and 95th. Failure to do so and failure to listen to the recommendations from wildlife experts will set a precedent that will lead to further development of open space areas for human use at the expense of our wildlife and open space.		2024-09-14 07:20:17
152	Matt	80516	Thank you for prioritizing this critical trail! I ride from my home in Erie to my work in Boulder twice a week. I take the Coal Creek and 36 trails in order to have a safe ride, even though that totals 23 miles. Riding on Isabelle is terrifying, and not at all suitable for bikes, so the direct route is not a viable option today. BERT would let me have a safe ~12 mile ride, and I would absolutely increase my # of days cycled per week as a result. Let's make it happen as soon as possible! Thank you!		2024-09-15 18:38:33
153	Gerard	80304	Please see attached file. Thank you, Gerry Kelly President, Boulder County Nature Association (BCNA)	<a href="#">comments on the</a>	2024-09-16 10:09:44
154	Earl	80516	"On the path being on the north side of the RR between Erie and 119th : It should be considered to cross at or close to 119th esp depending on how close the path is expected to be to the RR for the following reasons: 1. There are homes close to the RR property on the north side close to 119th. 2. There is a substantial power line on the north side of the RR property in that segment 3. There is a substantial buried gas line on the north side of the RR in that segment. 4. BERT should tie in to the path which is currently planned for the north side of the new development adjacent to the RR about 1000-1500 feet in from 119. 5. historically and recently there is an informal path/driving flat on the south side of the RR from 119th to the Laferty's property (being developed)		2024-09-17 16:37:51
155	Robyn	80301	I support this plan - it would be a great path for commuters and recreationists and increase safety for active transportation in the region.		2024-09-19 10:19:31
156	Evan	80302	I would love to see the comments from local non-profit partners regarding the trail such as community cycles. I'm hoping the trail will be e-bike friendly.		2024-09-19 11:56:47
157	Gary	80025	The plan doesn't address impact to very busy streets 61st, 75th, and 95th. The plan shows only an underpass at 287. It seems like a serious impact to the commuters on those streets. In addition to a safety at those crossings. There is an existing path from Boulder to Longmont south of 119 (diagonal). Have you collected data on usage and times when the trail is being used? It seems like most cyclists don't use the Boulder Longmont trail. They prefer hard surface roads Jay, Valmont, 61st, 75th, and 95th.		2024-09-19 16:02:00
158	Gary	80026	There is a Boulder to Westminster solid surface trail adjacent to US36. What is the usage and timings of the usage of this path? It seems like you are spending without any metric to prove or justify the spending.		2024-09-19 16:11:46
159	Carron	80304	Please see attached letter.	<a href="#">boulder county cc</a>	2024-09-19 16:55:28
160	Charles	80501	Former 15 year Erie resident here. While I like the idea of a trail, I'd rather see light rail from Erie to Boulder using this corridor.		2024-09-20 08:32:28
161	Katherine	80516	Hi I'm very excited about the proposed Boulder to Erie trail plan. My only comment would be to please ensure that e-bikes are allowed on this trail. The median age of Erie's population is almost 40, and e-bikes are an invaluable method of transportation for this age group.		2024-09-20 11:44:45
162	Robert	80516	As someone who lives in Erie and works in Boulder, and bike commutes 3 days a week May-Sept, I would be very excited to see this come into fruition! Thanks! Bob		2024-09-21 17:45:59
163	Pete	80304	Hello, I am the Executive Director of Boulder Junior Cycling. BJC is a year-round cycling program whose mission is to develop, coach and inspire junior cycling athletes. BJC was founded in 2006 and is a 501(c)3 non-profit organization. Boulder Junior Cycling is the largest youth cycling program in Boulder County, with more than 1,000 members. We urge you to support the Boulder to Erie Regional Trail (BERT) • Safe and Accessible Route: The BERT trail offers a safe, dedicated space for youth cyclists, providing a protected environment for young riders to develop their skills away from traffic. • Promotes Active Lifestyles: The trail encourages youth and families to engage in outdoor activities, promoting healthy and active lifestyles from a young age. • Community Connection: The trail connects Boulder and Erie, fostering community interaction and providing a vital link for local cycling clubs, including Boulder Junior Cycling, to access a wider network of trails. • Connectivity: The BERT trail adds a crucial east-west link in Boulder County's regional trail network, supporting broader goals of enhancing cycling infrastructure and connectivity in the region. • Aligns with Local Plans: The trail is in alignment with several key local and regional plans, including the Boulder County Comprehensive Plan and the Boulder Valley Comprehensive Plan, which prioritize safe and efficient multi-use paths. Thank You! — Pete Webber Executive Director Boulder Junior Cycling <a href="http://boulderjuniorcycling.org/">http://boulderjuniorcycling.org/</a>		2024-09-23 13:37:19
164	Derek	80516	I don't think a regional trail of that length (Erie to Boulder) consisting of a crusher fines surface is a good idea. I'd like to see a hard surface/pavement, or at least half of the trail hard surface. I think that would appeal to more users especially road cyclists.		2024-09-23 15:30:39
165	Stephen	80302	The proposed route looks great! I just did a trail like this that connected Germany to The Netherlands. I was an old railroad that they built a path next to it. Was used by all sorts of people and all ages of people. Each road crossing had a traffic signal, red/green lights. I would love to be able to get out to Erie on a trail like that with my grandkids!		2024-09-24 08:39:36
166	Zane	80026	The 287 crossing option at Boulder Creek includes little discussion of the extreme risks to BERT users who will follow 287 on the west side, crossing Goose Haven Drive opposite Jasper Road. This dangerous intersection already sees numerous accidents. Bikers will be especially at risk as delivery, landscaping and other service vehicles turn quickly from 287 onto Goose Haven unaware of potential bikers on the road. Bikers who are tempted to shortcut the Boulder Creek crossing by crossing at Goose Haven could shortcut their life.		2024-09-24 10:16:27
167	alexey	80302	Community Cycles is Boulder's non-profit bike shop and advocacy organization, with thousands of supporters & tens of thousands of followers. We advocate to get more people riding, thus we support the proposed BERT alignment, with one exception. The closure for up to 9 months a year makes the trail not that beneficial. There needs to be mitigation to protect wildlife, not a closure. A detour on Valmont would not be safe or comfortable for cyclists. With the current speed of vehicles on Valmont, a bikeable shoulder does not support Boulder County's Vision Zero commitment. Thank you for your work		2024-09-24 12:02:16

			<p>I am deeply troubled that the 2 main alternatives for the BERT, 1b and Valmont, present an untenable choice between safety and environmental protection, as detailed in the Alignment Evaluation section, pages 71-120. CPW, who is charged with protecting our native wildlife and habitat, has stated that the Right of Way alternative, 1b, is their least preferred route due to encroachments near numerous raptor nesting areas. They have instead recommended the Valmont option, which presents other significant problems in terms of logistical and safety concerns. OSMP staff also have significant concerns about the 1b proposal, which runs through large swaths of wetlands both north and south of the proposed trail corridor between 75th and 95th Streets as well as remaining fragments of tallgrass prairie, an ecosystem that is rapidly disappearing in the face of increasing development. The 1b route would fragment and bring significant human disturbance through areas designated by the Boulder County Comprehensive plan as Critical Wildlife Habitat, Preble's Meadow Jumping Mouse potential restoration area, Riparian Habitat Connector and Rare Plant Area sites, as well as 23 raptor nesting sites as it runs alongside or through the wetlands and protected areas of Sawhill Ponds and White Rocks Natural Area. The OSMP adjacent areas between 75th and 95th streets are described as having high value ecological resources and contain the largest concentration of habitat for the Northern Leopard Frog, a CPW Tier 1 Species of Greatest Conservation Need, as well as at least one Northern Harrier nest, another sensitive species of declining population in Boulder County. OSMP staff have pointed out that CPW recommendations for seasonal closures to protect the many sensitive raptor nests along the route would require trail closures for 9 months out of the year, a clearly unworkable plan. In their comments, OSMP staff have also stated their historical commitment to following CPW's wildlife protection recommendations. Failure to do so in this instance would compromise CPW's best practices for protection of raptor nesting sites and set a very bad precedent, trending toward the proverbial slippery slope and risking real adverse consequences. The BERT trail has been long in the making and is highly anticipated by recreationists and commuters. I urge you to actively bring OSMP staff into the planning process and work closely with them to take whatever extra time is needed to find an optimal, alternative routing that does not jeopardize either our irreplaceable natural resources or the safety and riding enjoyment of the public. Sacrificing either is unacceptable and suggests that we are not there yet in terms of finding the best route on which to move forward.</p>		
168	Suzanne	80305			2024-09-24 14:16:44
169	Suzanne	80305	<p>I am deeply troubled that the 2 main alternatives for the BERT present an untenable choice between safety and environmental protection. As outlined in Appendix G, CPW, who is charged with protecting our native wildlife and habitat, has stated that the Right of Way alternative, 1b, is their least preferred route due to encroachments near numerous raptor nesting areas. They have instead recommended the Valmont option, which presents other significant problems in terms of logistical and safety concerns. OSMP staff also have significant concerns about the 1b proposal, which runs through large swaths of wetlands both north and south of the proposed trail corridor between 75th and 95th Streets as well as remaining fragments of tallgrass prairie, an ecosystem that is rapidly disappearing in the face of increasing development. The 1b route would fragment and bring significant human disturbance through areas designated by the Boulder County Comprehensive plan as Critical Wildlife Habitat, Preble's Meadow Jumping Mouse potential restoration area, Riparian Habitat Connector and Rare Plant Area sites, as well as 23 raptor nesting sites as it runs alongside or through the wetlands and protected areas of Sawhill Ponds and White Rocks Natural Area. The OSMP adjacent areas between 75th and 95th streets are described as having high value ecological resources and contain the largest concentration of habitat for the Northern Leopard Frog, a CPW Tier 1 Species of Greatest Conservation Need, as well as at least one Northern Harrier nest, another sensitive species of declining population in Boulder County. OSMP staff have pointed out that CPW recommendations for seasonal closures to protect the many sensitive raptor nests along the 1b route would require trail closures for 9 months out of the year, a clearly unworkable plan. In their comments, OSMP staff have also stated their historical commitment to following CPW's wildlife protection recommendations. Failure to do so in this instance would compromise CPW's best practices for protection of raptor nesting sites and set a very bad precedent, trending toward the proverbial slippery slope and risking real adverse consequences. The BERT trail has been long in the making and is highly anticipated by recreationists and commuters. I urge you to actively bring OSMP staff into the planning process and work closely with them to take whatever extra time is needed to find an optimal, alternative routing that does not jeopardize either our irreplaceable natural resources or the safety and riding enjoyment of the public. Sacrificing either is unacceptable and suggests that we are not there yet in terms of finding the best route on which to move forward.</p>		2024-09-24 14:26:46
170	Boulder	80306	Please see attached.	<a href="#">bert_1os.pdf</a>	2024-09-25 12:26:36
171	Stan	80027	<p>BMA had added comments that I'd like to second. I'd also like to add that too many cyclist are getting injured or killed on our roads. Having an off-road option between Erie and Boulder makes for a safer experience for everyone, especially kids! In the spirit of Magnus White, let's make this as year-round accessible for cyclists as possible.</p>		2024-09-25 13:24:19
172	John	80304	This trail adds a daily, essential, safe connectivity for Erie, Lafayette and Louisville residents to and from Boulder. Due to an increased cost of transportation, an increased population of folks not of driving age, and warmer than average temperatures, I can't think of a single reason why keeping it open 24x7, 365 days per year would not benefit most people.		2024-09-25 14:37:33
173	Bev	80027	Pages 71-72	<a href="#">bcas_letter_to_ber</a>	2024-09-25 17:49:02
174	Dennis	80026	<p>I am very excited that this trail is moving forward in the process. I am a cyclist and would regularly use this route for recreational riding, and selfishly it is also near our home. I am impressed with the amount of work that was put into the plan and with so many factors to consider. Well done in my opinion! I would be pleased with any selected route but my choice would be to utilize the RTD right of way with a tunnel at 287. The upfront cost would be worth it in the long term. Thanks for your efforts!</p>		2024-09-25 19:51:40
175	Gary	80304	<p>Dear Commissioners, I am glad things are moving forward on the Boulder to Erie Trail. It is an important connection for both transportation and recreation. I am concerned about the idea of mitigating impacts to wildlife with closures of up to eight months each year. That would make the trail not worth creating. Why spend the money and exert the effort for a route that is open so infrequently? You perhaps face a conflict between two or more good values. It's not an uncommon problem in public policy! Please find a better balance than eight months of closures. We not only need to protect wildlife. We also need off-road paths that allow bicycle travel between our communities. That benefits safety, climate, transportation alternatives, and public health. Wildlife protection is important, but it should not be an automatic, always prevailing veto on projects. Best regards, Gary Sprung Boulder, CO</p>		2024-09-25 21:50:02
176	Matthew	80301	<p>Alignment 1A is the best option to achieve the goals of the project. It's most direct, and eliminates most conflicts with vehicles. Any alignment along a major road will have vehicle conflicts unless it's elevated/underground at all crossings. The proposed seasonal closure is ridiculous. If the environment is really that sensitive, then maybe Valmont road should be closed seasonally as well. Clearly we are able to prioritize transportation over the environment for roads, so we should be able to make the same priority for regional trails which are much less impactful to the environment (and in fact beneficial if they reduce car traffic).</p>		2024-09-25 23:00:12

177	Tabitha	80301	Whenever this project is presented to various advisory boards, the RTD stance is misrepresented. Appendix A -RTD letter to collaborate clearly states the following: "And, as noted in our previous letter from October 26, 2011, RTD's primary goal for the corridor is to maintain it for future transit purposes." In the last meeting Tonya (forget her last name) indicated that RTD had no future plans to use the railway. This is clearly incorrect and misleading information. RTD also indicate that should they decide to recommission the railway, that the cost of removing the trail will be on County. This is an inadvisable risk to taxpayers funds.		2024-09-27 18:07:46
178	Tabitha	80301	APPENDIX D - ADJACENT LANDOWNER INTERVIEWS As landowners of two properties covering 40 acres directly affected by this trail plan we were not consulted nor are we on the list in this Appendix as people to interview or talk to.		2024-09-27 18:21:46

## **Comments on the Boulder-to-Erie Regional Trail Boulder County Nature Association (BCNA)**

09/14/2024

Below are the comments of Boulder County Nature Association (BCNA), which has been an active Boulder County stakeholder and agency partner since 1982. Our comments below focus on some weaknesses of the trail plan; however, BCNA supports in general trail development within the County. We want people to have alternatives to automobile, especially in light of our climate crisis, and be able to recreate. Trails contribute to a healthy community. However, they need to be developed in a manner that ensures an ecologically functioning environment in which humans and wildlife can thrive.

- BCNA thinks the plan was well prepared and organized, and included a lot of the ecological impacts, albeit in a qualitative manner. However, BCNA does not approve of the planning process used. Much of the detailed work will be done during the design phase, including the conduct of critical surveys and the development and assessment of mitigation measures. Survey findings during the design phase could yield serious or fatal flaws in one or more alternatives, including the inability to sufficiently mitigate ecological impacts (e.g., wildlife disturbance and habitat fragmentation along Alternatives 1 and 2). A lot of this work should have been assessed and presented in the plan. It was the cart before the horse.
- Commissioners, POSAC members and all other decision-making stakeholders need to be assured that all possible routes (additional alternatives) have been considered. The current alternatives do not present a clear choice. All present serious issues (i.e., environmental, safety and costs).
- Commissioners, POSAC members and others also need to have more assessment information on the no-action alternative, considering the flaws of the 4 alternatives assessed. This information is needed for decision-making. We all need to be assured that the stated project purpose and need are sufficient to implement a potentially flawed project. Purpose and need should be quantitatively addressed. Stakeholders need to know whether or not the benefits exceed the financial and environmental costs. BCNA does not believe that this case was sufficiently made.
- A lot of work will need to go into the development of effective mitigation measures. The use of seasonal closures to protect raptors does not make any sense. Why spend the money to build the trail and disrupt the environment if the trail will be closed during a significant portion of the warm-weather season when the use demand will be at its highest? In addition, simply screening sensitive habitat from the selected trail route may not be sufficient. The effectiveness of mitigation measures will need to be demonstrated before informed decisions can be made.
- Commissioners and POSAC members need to seriously consider during their deliberations the impacts on the many avian species, including raptors, that use the area throughout the year. As CPW and others have pointed out, there are 23 raptor nests along the RR ROW, and the area is Northern Harrier territory. The concerns of all stakeholders need to be seriously addressed (not quickly dismissed), especially if seasonal closures are not a viable mitigation measure.

In summary, BCNA wants to ensure sensitive species, OSMP Habitat Conservation Areas, and all other natural resources of value in the area, listed in the County Comprehensive Plan Environmental Resources Element, and included in the Plan's Appendices (maps) are protected. This means the County should explore further less environmentally harmful routes, and examine ways to meaningfully minimize impacts to adjacent OSMP lands with high ecological value and sensitive resources. The ecological functions of the area need to be maintained for the benefit of wildlife and humans alike.

Thank you for providing BCNA the opportunity to comment on this project and for your serious consideration of our comments.

19 September, 2024

Dear POSAC and Boulder County Commissioners:

I am a professional wildlife ecologist and have worked in that capacity for 40 years. I moved to Boulder in 1970. I am very concerned about the impacts to wildlife from the preferred BERT alignment 1B.

### **Specific Concerns**

- Alignment 1B ignores the opinion of professional and dedicated staff at OSMP.
- Alignment 1B ignores the recommendations from our state wildlife agency, CPW, for recommended raptor buffers.
  - If BERT ignores these, it sets a huge precedent for all developments to do the same and ignore wildlife protective measures.
- Fireflies are very rare in Colorado and 1B would cause harm and disruption to our existing population on OSMP land.
- Biodiversity loss reaches a tipping point that has cascading impacts. It is like death by 1,000 cuts, and we humans keep saying it doesn't matter. But it does! For example:
  - Many million bison were close to extinction in the United States, saved only by the foresight of a few individuals who saved very small herds for repopulating. Thus we came close to losing this iconic and ecologically significant species from our landscape.
  - We have recently learned that white-nose syndrome in bats caused a decline in bats, resulting in an increase in use of pesticides, and an 8 % increase in infant mortality due to mosquito-borne illness in the U.S.
- Each cut seems unimportant, but they are important and often in ways that we would not see or predict.

Many of us want to leave a legacy of wildlife, including raptors, for our grandchildren and subsequent generations. This requires stewardship of these natural resources. The 1B alignment would reduce that potential as development continues at a rapid pace on the Front Range.

In June 2021, the project was expanded to better address environmental concerns. These have now been presented and the preferred alignment appears to ignore them. Please ask the Project Team to look at additional alignments that prioritize safety, visitor experience, AND wildlife. Wildlife cannot speak for itself, and so we must be good stewards and do that.

Best,

Carron Meaney  
Boulder, CO



Boulder Mountainbike Alliance  
PO BOX 4954  
Boulder, CO 80306  
bouldermountainbike.org  
EIN 84-1240757

September 25, 2024

Dear Boulder County Community Planning & Permitting Team,

On behalf of the Boulder Mountainbike Alliance (BMA), I am writing to express our strong support for approval and implementation of the recommended Alignment 1B of the Boulder to Erie Regional Trail (BERT) Draft Plan. Alignment 1B offers the best balance of safety, environmental consideration, project cost, and visitor experience.

We also strongly support implementation of Alignment 1B without seasonal closures. As a vital regional trail that will connect communities, we believe this project will only succeed if the route is open year-round and without temporal restrictions that would severely limit use by people traveling or commuting on the trail. Currently, no other regional trail has seasonal closures or nighttime restrictions.

The BERT trail is a vital addition to Boulder County's trail network, offering a safe and accessible route that links Boulder and Erie through a scenic and enjoyable corridor. This project will not only improve east-west connectivity for people riding bicycles and pedestrians but will also contribute to reducing traffic congestion and promoting active transportation in our region.

We are particularly excited about the following aspects of the BERT plan:

1. **Enhanced Connectivity:** The BERT trail will serve as a critical link between existing trail systems, allowing for greater mobility and recreational opportunities across the county. This connectivity is essential for creating a comprehensive trail network that supports the needs of both recreational and commuter cyclists.
2. **Multi-Use Accessibility:** The proposed alignment prioritizes a safe and enjoyable experience for all trail users, including cyclists, walkers, runners, and equestrians. We appreciate the thoughtful design considerations that minimize environmental impact while enhancing user experience and safety.
3. **Supporting Boulder County's Climate Crisis Goals:** The BERT trail aligns with Boulder County's strategic priority to address the climate crisis by reducing greenhouse gas emissions and promoting sustainable, non-motorized transportation options. By providing a safe, efficient, and enjoyable alternative to car travel, the BERT trail encourages residents to choose active modes of transportation for commuting and recreation, helping to decrease the county's overall carbon footprint. This project directly supports the county's goals of expanding active transportation infrastructure and increasing the use of sustainable transit options.

Great communities build trails, and great trails build community.



Boulder Mountainbike Alliance  
PO BOX 4954  
Boulder, CO 80306  
bouldermountainbike.org  
EIN 84-1240757

4. **Community Engagement and Support:** The extensive public outreach and stakeholder engagement conducted during the planning process have ensured that the BERT trail reflects the values and priorities of the community. BMA is proud to be a part of this collaborative effort and to support a project that has garnered broad community support.
5. **Future Growth and Opportunities:** As Boulder County continues to grow, the BERT trail will play a crucial role in meeting the increasing demand for safe and accessible outdoor recreation.

As an organization dedicated to advocating for mountain biking opportunities and enhancing the trail experience in Boulder County, we believe the BERT project represents a significant step forward in expanding multi-use trail connectivity and providing new recreational opportunities for all members of our community.

Thank you for your dedication to enhancing Boulder County's trail system and for the opportunity to provide input on this transformative project. We look forward to seeing the BERT trail become a cherished asset for our community.

Sincerely,

A handwritten signature in black ink that reads "Wendy Sweet".

Wendy Sweet  
Executive Director  
Boulder Mountainbike Alliance

Great communities build trails, and great trails build community.



## BOULDER COUNTY AUDUBON SOCIETY

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PO Box 2081 ♦ Boulder, Colorado 80306  
www.boulderaudubon.org ♦ crossbill@boulderaudubon.org

To: BERT Planning Team  
From: Boulder County Audubon Society  
Re: Comments on BERT Plan Draft and Appendices  
Date: September 25, 2024

Dear Planning Team,

Boulder County Audubon Society (BCAS) is pleased to submit the following comments. BCAS represents over 1,400 members. We are a voice for birds and wildlife conservation through habitat protection, advocacy, and nature education.

With increasing human population and encroachment on wildlife habitats in Boulder County and surrounding areas, it is critical to protect the best remaining habitats. For the BERT planning, we believe this means *further exploration of less environmentally harmful routes*. Following are our primary concerns and recommendations:

- The BERT planning phase has evolved from several conceptual alignments to one preferred alignment in the RTD ROW. The preferred alignment is a finite area along and beside the former railroad route, and leaves little room for avoiding or mitigating for invaluable wildlife and habitats during future phases.
- As the evaluation table on plan pp. 114-115 (pdf p. 58) clearly shows, alignment 1b is highly detrimental to ecological resources.
- Preferred alignment 1b in the plan not only bisects a Habitat Conservation Area (HCA) at White Rocks on OSMP property, it passes through a number of valuable natural resource areas designated in the Boulder County Comprehensive Plan Environmental Resources Element depicted on maps on pp. 71 and 72 of the Plan, including Critical Wildlife Habitat, the White Rocks/Gunbarrel Hill Environmental Conservation Area, a High Biodiversity Area, and more.
- The area of highest concern is along approximately 2.5 miles of alignment 1b where it passes through OSMP land, from about one-half mile west of the Sawhill Ponds parking lot, east to the White Rocks trail, which runs north/south on the north side of Valmont, about 0.6 miles west of 95<sup>th</sup> St.
- Moving forward with an alignment where OSMP and CPW biologists have recommended seasonal closures for up to nine months for nesting raptors and herons does not make sense. Some of these nests will likely move somewhat over time, but 23 nest territories, shown on the map on pp. 64 and 65 of the draft plan, are not going away before BERT construction starts.
- Given OSMP staff recommendations and their presentation at the September 11 Boulder Open Space Board of Trustees meeting, it appears that OSMP staff were tasked with responding to alternatives developed by consultants and/or County transportation staff, rather than being proactively involved with developing one or more alternatives less harmful to ecological resources on OSMP land.
- Survey results on p. 64 (pdf p. 33) of the plan show a high percentage of respondents ranking wildlife and/or protection of the environment as a factor influencing their choice of a

preferred trail alignment. A majority chose alignment C (aka 3); however, as acknowledged at the bottom of p. 62 (pdf p. 32) and on p. 109 (pdf p. 55), alignment C (aka 3) was presented as more favorable to ecological resources, which was later determined not to be the case, potentially distorting the survey results - i.e. it is likely that fewer respondents would have chosen alignment C if it had been presented as more ecologically harmful.

- We urge further exploration of alternate alignments, at least from Sawhill Ponds to the White Rocks trail, in consultation with OSMP staff. One option, shown on the attached map as Modified Alignment 2, is a reconsideration of conceptual alignment 2, using the ROW along Valmont for approximately 1.5 - 2 miles. This portion of Valmont is rural and scenic, with relatively few driveways and would avoid most of the raptor nest buffer areas, the HCA, and ERE-designated resources.

While we recognize the community desires and need for safer routes for bikes and other forms of recreation, and the dedicated staff time spent on the BERT over several years, we strongly believe that it is worth spending a little more time for County staff to consult further with OSMP staff and work to find an alternate alignment that provides for safety and visitor experience, without sacrificing sensitive and rare wildlife and ecosystems. Surely a short-term delay to help prevent long-term, and perhaps permanent, loss of irreplaceable wildlife, plants and ecosystems is a worthwhile endeavor for Boulder County.

Additional considerations:

- Plan pp. 52-53: Two options are given for crossing Highway 287 - an underpass at the RTD ROW crossing and a jog north to Boulder Creek to cross under 287. A highway 287 overpass is mentioned in the Plan Appendices, but is not mentioned or evaluated in the Plan, nor can we find the reasons for excluding it in the Plan. We would like to see an option for an overpass at Highway 287 at the RTD ROW remain on the table for future evaluation if an underpass at the ROW proves not to be feasible.
- BCAS contends that any preferred alignment carried forward should include holistic consideration of nighttime use and dogs (allowed or not and leashed or not). Since the project is expected to be implemented in phases, deferring these decisions is setting up everyone involved for piecemeal discussions and implementation in the future.
- Since the draft plan includes a preferred alignment instead of several conceptual alignments, we also contend that this planning process should include current surveys and mitigation measures.
- We would like to see use data, including nighttime use if available separately, from existing regional trails such as Coal Creek and LoBo, to help determine whether use justifies the expense and environmental impacts of these trails. Actual use data would provide more concrete information than survey responses indicating intent to use the BERT.

Thank you for the opportunity to comment.

Sincerely,

Boulder County Audubon Society Board of Directors and Conservation Committee



**From:** [Elaine C Erb](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** [EXTERNAL] Support for the BERT Rail Trail  
**Date:** Wednesday, September 25, 2024 4:33:42 PM

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Dear Commissioners:

I'm writing you as a resident of Niwot and fan of cycling in Boulder County.

For years I have heard people ask what is up with the railroad track that crosses 61st just north of Valmont and wouldn't it be great to turn it into a bike trail. Here we have the opportunity to do just that. I'm pleased with the recommendation for alignment 1B that offers cyclists and walkers an opportunity to have a peaceful, beautiful place to be outdoors.

My husband and I often enjoy an activity we call birding by bike. It's amazing the birds we take in on our bike rides throughout Boulder County. This trail would offer one more option for that and would also allow more people to access the Walden Ponds area with safe and sustainable transportation.

While this option has some more environmental concerns than other alignments, it offers such good outdoor experience that this trail is worthwhile. I hope to see continued study into building the least impactful trail system as possible in this alignment.

Currently the City of Boulder has many people in-commuting for work with very few options for safe biking. As we see many commuters, like myself, using the LoBo trail to get to and from Boulder, I believe we will see interest in use of this corridor for commuting as well as recreational rides.

Thank you for supporting the BERT and moving this forward.

Elaine C. Erb



From: [Loachamin, Marta](#)  
To: [Boulder County Board of Commissioners](#)  
Subject: FW: [EXTERNAL] Habitat Conservation Area and Riparian Zone  
Date: Sunday, September 29, 2024 2:30:24 PM  
Attachments: [WebPage.pdf](#)

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fyi

Marta Loachamin | she/her/ella  
Boulder County Commissioner D2  
303-579-1825 | [bouldercounty.gov](https://bouldercounty.gov)  
Join us! Public comment THURSDAY 9am  
Virtual Attendee Link: <https://boco.org/BOCC-Oct3AM>  
In-Person Comment Registration: <https://boco.org/InPerson-Oct3AM>  
Visit [boco.org/advance-agenda](https://boco.org/advance-agenda) to view the Commissioners' upcoming meetings  
My email response time may not be the same as yours. *Please don't feel obligated to respond outside of your working hours.*

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From: myra mesko <behappymymy@gmail.com>  
Sent: Saturday, September 28, 2024 7:02 AM  
To: Commissioner Loachamin <commissioner.loachamin@bouldercounty.gov>  
Cc: Myra Michelle Mesko <behappymymy@gmail.com>  
Subject: [EXTERNAL] Habitat Conservation Area and Riparian Zone

Dear Commissioner Marta,

I had your email incorrectly when I sent this email to you yesterday so I am sending it again since it bounced back. Please be so kind and let me know when you have received my concerns.  
Wishing you a wonderful weekend.

Dear Commissioners Marta, Claire, and Ashley:

My name is Myra Mesko, I am a long-time Boulder County resident with serious concerns regarding the proposed BERT (the largest commuter trail in Boulder County) and the protected wetland & riparian zone BERT is proposed to be built through. For decades we have been prohibited, and for good reason, to access the valley between 75th and 95th. This is the last refuge in Boulder County where the ecosystem is as it was centuries ago before humans encroached and destroyed the natural balance in this area. Man's desires are not always what is best for our Habitat Conservation Areas, therefore, I believe the decision made on Sept. 11, 2024 by the Trustees to support the largest commuter trail (Bert) through this fragile valley is misguided.

Option 1a & 1b would put the 10FT wide trail (much wider than the old rail bed which was decommissioned decades ago and has since been reabsorbed into nature) through the **Habitat Conservation Area** (native grasslands, wetlands, and riparian zones) in Boulder Valley between 75th and 95th which has a substantial conservation area of Rare Plants & Significant Natural Community areas outlined on the maps I am providing links to below. This conservation area is very important to plant diversity and habitat protection, it is **prohibited** to trespass without permission from Boulder County Open Space (OSMP), see picture attached. **And how can anyone even consider the BERT commuter trail to be built on the RTD rail bed when they (RTD) have asked the trail **not** to be built there since they reserve the right to use their rail bed in the future. They have clearly stated that Boulder County would have to pay for the removal of BERT if they decide to reactivate the existing rails. The cost of BERT at \$19 - \$23 million would be a total waste if built only to be removed again at taxpayers expense.**

The proposed BERT (open 24/7) commuter trail would introduce invasive plant species to the fragile wetlands which would devastate the rare plants and all that live & thrive in this eco system. **It is estimated that hundreds of people** will be hiking/running (with pets) & biking on BERT (including E-bikes) on a *daily basis ~ day...and night* introducing invasive plant seeds from shoe soles and bike treads that could devastate this Rare Plant Area & Significant Natural Community. Today it is off limits to human and canine traffic to preserve this ecosystem. Consistent human and dog traffic is not just dangerous to the fragile plant habitat, but also very disruptive to all the wildlife and rare firefly that currently lives & breeds in this protected area.

The stretch of Boulder Valley between 75th and 95th is home & breeding ground for bald & golden eagles, a variety of hawks including Harris, great horned owls, falcons, blue herons, herds of white tail deer, foxes, coyotes, bobcats, turkeys, snapping turtles, salamanders, frogs, snakes, lizards, rare fireflies to name a few. Nocturnal migration in this valley is healthy and active with wildlife rarely seen by humans, but yet they indeed dwell there. I have real concerns on how OSMP is going to protect the **Harris Hawk and Heron** according to the **Migratory Bird act which is a federal law**. In addition the **Eagle** population mates, nests, and teach their young to hunt in this valley & grassland, surely you would not want to interfere and destroy this beautiful habitat. And by the time BERT would start construction we may even have more Eagle Nests in this valley that are closer to the RTD trac than they are today.

The **wetlands and hayfields** just west of 75th & south of the RTD rail bed are home to **rare native plants which seeds are harvested annually by OSPM** volunteers to be propagated in other OSMP properties throughout the county to ensure the survival of the species. Native plants needing protection in this area include, but are not limited to, **big bluestem, little bluestem, switchgrass, prairie cordgrass, and yellow Indian grass**. Additionally, **the Bobolink, grassland sparrows, savanna sparrows, and grasshopper sparrows** nest in the **hayfield and tall grass, Harrier Hawks** nest in the **cat tails**, and one can find **turtles & fireflies** in these **wetlands** which would be greatly disrupted if not forced to be displaced if this trail is implemented. White Tail Deer also thrive in this environment, we must protect pregnant and newborn which are **extremely venerable during spring and early summer**. There are plans to add fencing to keep people on BERT which would negatively impact migration of wildlife, especially the newborn, young population of our wildlife who would be separated from the herds/packs not able to overcome the fencing.

**OSMP declares White Rocks is a refuge for rare and easily disturbed plants and animals**. See attached. **The rare Six-Lined Racerunner Lizard** makes it's home in the soft, sandy soil of White Rocks Habitat Conservation Area. The hiking trail through White Rocks is only 3.5 - 4 feet wide and does not allow dogs, nor are they open 24/7. There are so many animals who would be negatively impacted if the proposed BERT is built in this protected valley. **special consideration must be given to all the aforementioned.**

You can find all the aforementioned wildlife and sensitive native vegetation in this stretch of protected area for many reasons, one of them is that **it is isolated from excessive human traffic**. Only therefore, can this habitat exist and thrive in balance. This Natural Resource deserves to be protected as it has been for several decades, or as long as I can remember.

**I believe there are a couple safe & scenic solutions to have BERT come to life with mindful planning to avoid trespassing a designated conservation area harming it irreparably:**  
**Option 1.** From 75th run BERT south on 75th and use the scenic Valmont Rd. The speed limit could be reduced, which should be done anyway, and the commuter trail would be appropriately placed along a road and not through a delicate, protected valley. I have heard the argument that personal driveways would be impacted, but they already are negatively impacted with the current road, and it is my opinion that a slower speed limit would help these residents greatly. To ensure a slower speed limit you could install reverse speed bumps along this stretch on the road portion creating a safe alternative for BERT.

In addition, proponents of BERT claim that many would not drive cars anymore, rather use their bikes to commute to Boulder. **If this is true, then Valmont Rd is the only option to explore since traffic would be greatly decreased with all commuting traffic moving to BERT.** Please explore how Valmont Rd. could be transformed into an amazing commuter trail removing 18 wheelers from this stretch to make BERT a reality.

**Option 2.** From 75th run BERT North to the Lookout Open Space which already has multiple trails built on & through it, then build it all the way to 287 along Lookout Rd. The Views from Lookout are outstanding, and nature lovers will feel like they are on-top of the world with unforgettable views to the west of Longs & Indian Peaks, and entire Continental Divide. To the East the horizon is vast and seems to never end.....

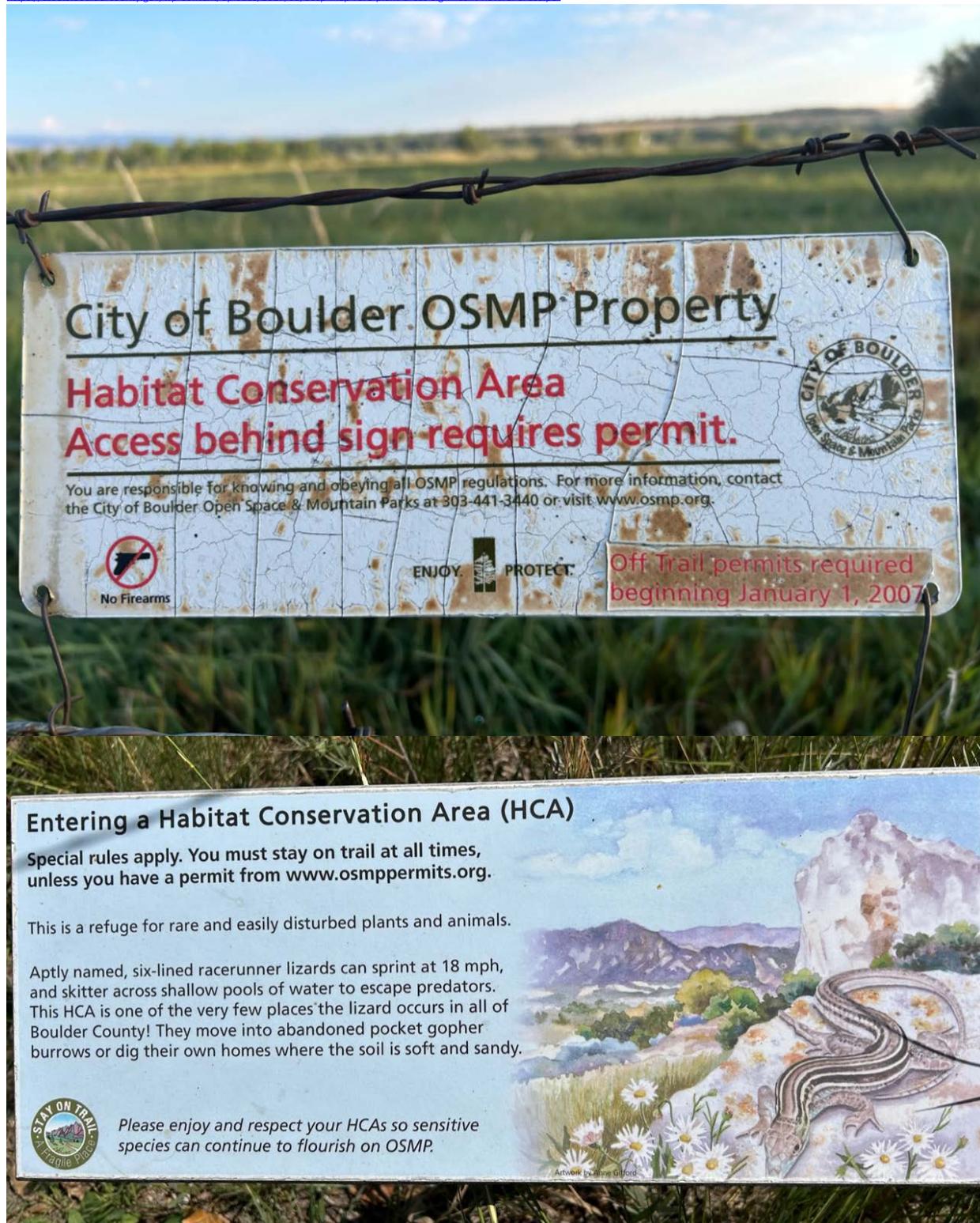
These two options would provide beautiful scenery and will not impact our protected ecosystems we know are so very important to all of us choosing to live in Boulder City & County.

Please join me to be a voice for this delicate valley ecosystem, a beautiful natural resource, which will be negatively impacted

forever with the proposed 24/7, 10 foot wide BERT Commuter Trail running through the protected conservation habitat. With heartfelt gratitude for your attention to this sensitive matter.

Sincerely,  
Myra Mesko

<https://assets.bouldercounty.gov/wp-content/uploads/2017/03/bccp-map-wetlands-riparian-areas.pdf>  
<https://assets.bouldercounty.gov/wp-content/uploads/2017/03/bccp-map-rare-plant-areas-significant-natural-areas.pdf>



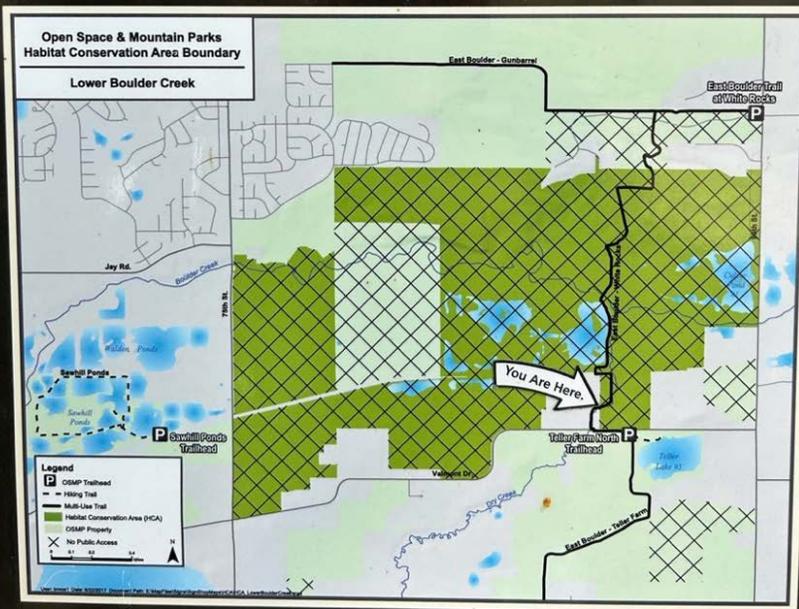


# Habitat Conservation Area

*You are entering the Lower Boulder Creek Habitat Conservation Area. This designation protects and preserves fragile landscapes that are home to sensitive or rare plants and animals.*

**Special Regulations Apply in this Habitat Conservation Area:**

- **Travel on Designated Trails Only**
- **Off-Trail Access is Prohibited**
- **Dogs are Prohibited on White Rocks Trail**



*For information about Habitat Conservation Areas, please*

<https://www.colorado.edu/today/2024/07/17/searching-colorados-little-known-fireflies>

## Searching for Colorado's little-known fireflies

Banner image: Fireflies dance over a field near Sawhill Ponds in Boulder, Colorado. (Credit: Peleg Lab)

Owen Martin steps carefully through the knee-high grass growing up around a long-abandoned railroad track near Sawhill Ponds in Boulder, Colorado. It's almost pitch black out. The sun set 45 minutes ago, and the only light now comes from the distant buzz of cars on Valmont Road.

### Get involved

Students, Colorado residents and more can sign up to help record firefly flashes.

[Volunteer Now](#)

Or almost the only light. If you let your eyes adjust to the dark, you can just make out the twinkle from hundreds of faint specks. They flash on and off as if someone spilled yellow-green glitter across this empty field.

Martin, a doctoral student in computer science at CU Boulder, is hunting for fireflies.

"There's one right there," he says, holding up a butterfly net. "It's leading me on a little chase."

Many people who call Colorado home might be surprised to learn that fireflies (or lightning bugs, depending on who you ask) also live in the state. But, if you're lucky, you might stumble on a few pockets of these insects lighting up the night. You just need to know when and where to look.

That's what Martin and his advisor Orit Peleg are trying to figure out now. In a project that blends technology with natural history, researchers in Peleg's lab have spent summers since 2018 traveling across the state in search of fireflies. They use [360-degree cameras](#) to learn more about the insects, including the patterns they make with their flashes. In many ways, the team is in a race against time. In Colorado, as in other places around the world, firefly populations may be vanishing as a result of humans paving over wetland habitats and saturating the night sky with artificial light.

"Firefly flashes are like a little, secret language," said Peleg, associate professor in the [BioFrontiers Institute](#) and [Department of Computer Science](#). "They are very special, and we have a lot to learn from them."

## Introducing Colorado fireflies

It's a new experience for Martin. The researcher grew up not far from this natural area in Louisville, Colorado, but had never seen a firefly at home until three years ago. He said that observing these animals in the wild is a "wonderous feeling."

"It's all dark, and you feel like the rest of the world isn't there anymore," he said. "You feel like you are floating in space, and there are all these stars moving around you."

At Sawhill Ponds, he's trapped one of those stars now. He gingerly moves the insect from his canvas net to a covered petri dish. The firefly is about a half-inch long, and you can just make out its orangish head and black wings. A light organ on the bug's abdomen glows, flashing like the beacon from a lighthouse.

Fireflies belong to a family of beetles known as Lampyridae, and roughly 2,000 species of fireflies can be found across the globe. It's not clear how many live in Colorado. The insects near Sawhill Ponds belong to a common genus called Photuris. The name roughly translates to "light terror" because female Photuris fireflies sometimes use flashes to lure in, then devour males from different species.

[Entomology collections at the CU Museum of Natural History](#) include specimens from Photuris and four other genera found in 19 Colorado counties—ranging from Yuma County in the northeast to Montezuma in the southwest. Martin himself has observed fireflies in the town of Divide, which sits near Pikes Peak at an altitude of more than 9,000 feet.

Still, there are good reasons why these luminous animals remain such a mystery in the state. Unlike fireflies in the eastern U.S., which can abound all summer long, Colorado fireflies tend to cluster in swampy areas and are active for just a few weeks per year—appearing in the second half of June, then disappearing again by mid-July. Martin's research is supported through the President's Teaching Scholars Program and Timmerhaus Fund Ambassadors at the University of Colorado and by the City of Boulder Open Space and Mountain Parks.

"A lot of people here come from places like the Midwest where they've seen fireflies. But they don't know about them in their own backyards," said Martin, who wants to raise "firefly literacy" in the Front Range.

## Speaking firefly

Part of that goal hinges on understanding their secret language, Peleg said.

She explained that male fireflies flash to attract females, which often remain hidden on the ground. Each firefly species, however, has its own, unique flash pattern.

"It's like Morse code," she said. "It's this simple light on, light off signal, and that's probably as close as it gets to computer language, ones and zeros, in the animal kingdom."

To explore those patterns, her team uses 360-degree GoPro cameras to record fireflies in the wild. They then feed those recordings into computer programs that analyze the patterns. In recent research, for example, the group dug into the [flashing behavior of fireflies in the Great Smoky Mountains](#) of Tennessee—where thousands of insects synchronize their displays so that they all flash in unison, bathing entire hillsides in light.

Peleg's team [found that these animals seem to achieve that feat](#) by observing how their neighbors are flashing, then adjusting their behavior to match.

Martin is gathering similar insights into Colorado's fireflies. Eventually, he and Peleg want to build a library of firefly flash patterns—a sort of Google Translate for insects. That way, people could record video of fireflies flashing, then automatically identify what species they're looking at.

## Protecting diversity

The researchers hope they can collect their data before it's too late.

### *How you can help fireflies*

Coloradans can help protect fireflies by following these [tips from the Butterfly Pavillion](#):

- Support land conservation and habitat restoration.
- Stay on designated paths when visiting natural areas to avoid damaging their habitat.
- Enjoy fireflies in the wild and don't catch them.
- Turn off unnecessary lights near their habitats in June through August.

Across the globe, research on fireflies remains scarce. But a growing number of hints suggests that some species may be disappearing.

In Colorado, artificial light is a major threat. Studies of fireflies from the eastern United States show that streetlights and other nighttime illumination can wash out the signals that fireflies are trying to communicate. It's a bit like trying to carry on a conversation in the middle of a crowded bar. (Such "light pollution" can also [make it more difficult to see the stars](#) from Colorado).

But there are a number of actions people can take to protect vulnerable firefly habitats. Martin and Peleg invite curious Coloradans to [volunteer to help out with the research project](#). A team at the Butterfly Pavillion near Denver is also [raising adult fireflies from larvae](#), which could one day be released into the wild.

The potential of those actions is on display at Sawhill Ponds. There, a strange light has caught Martin's attention. It's a firefly, but one with an oddly orange-colored light.

After a few swipes of his net, the scientist captures the mysterious insect. It's noticeably smaller than the Photuris bug he caught earlier. It's a Pyraclomena, a completely different firefly genus and one Martin has not recorded at this spot before.

"This could be very exciting," he says.

The new insect is a reminder that scientists still have a lot to learn about fireflies in Colorado. Martin encourages everyone to get out and look.

"Turn your lights off," he said. "Then, between the middle of June and the middle of July, try to take some walks at night in your local wetland areas and see if you can find some."

**From:** [Charles Brock](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** [EXTERNAL] I support the Boulder-Erie Regional Trail!  
**Date:** Tuesday, September 24, 2024 3:27:31 PM

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Hi Boulder County Commissioners:

I would like to express my support for the proposed alignment for the Boulder-Erie Regional Trail (BERT). This trail will be a tremendous asset for residents of Boulder County, for both recreational and commuting purposes. It will traverse a section of the County that is currently quite hostile to walkers, runners, and cyclists. Like the LoBo trail, it will become popular for daily recreation and access to nature away from the roar of traffic. And because the BERT will be relatively straight and direct, it will prove valuable as a commuting route for cyclists who want to go from the eastern side of the county to the city of Boulder and vice versa. I feel that the environmental tradeoffs would be relatively small given that the rail bed already exists, and that the positives far outweigh the negatives.

I urge you to support the trail in general, and the staff-recommended alignment specifically.

Thank you for your service to our county.

Sincerely,

Charles (Chuck) Brock

