



Parks & Open Space

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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, July 24, 2025

TO: Parks & Open Space Advisory Committee
FROM: Aaron Clark, Land Officer
AGENDA ITEM: Kestrel Property Acquisition
ACTION REQUESTED: Recommendation to the BOCC

For much longer than Parks & Open Space's history of stewarding open space, the land in this community has been important to American Indian, urban native, Indigenous, and other cultural communities that continue to live here. We are making meaningful changes to how we do our work that include them, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.

Summary

Boulder County proposes to acquire fee title to 77 acres owned by ASA Hygiene East, LLLP and ASA Hygiene West, LLLP, with any associated water rights, for \$3,500,000. The property has an address of 0 North 75th Street and is located near the intersection of 75th Street and Ute Highway. Staff supports this acquisition.

Background Information

The Kestrel Property is primarily in irrigated agriculture and has two shares in the Palmerton Ditch, which are a priority for the department to acquire. The Palmerton and Rough and Ready ditches cross the northern part of the property. The land is adjacent to the Cottonwood property on its western boundary; Cottonwood was purchased by the county in 2024.

Deal Description

The Kestrel property consists of two parcels of approximately equal acreage: "Kestrel West" owned by ASA West Hygiene, LLLP, and "Kestrel East" owned by ASA East Hygiene, LLLP. The sellers, who manage both partnerships, would like to sell to the county over two years. Thus, the closing on Kestrel West and one share of the Palmerton Ditch will take place before the end of 2025, with the closing on Kestrel East and the remaining share of the Palmerton Ditch to occur in early 2026. The property is subject to an existing agricultural lease.

Acquisition Summary

| | |
|------------------|---|
| \$3,000,000 | Land Price (includes mineral rights) |
| <u>\$500,000</u> | Water Price |
| \$3,500,000 | Total Price (Fund Source: Open Space Sales and Use Taxes) |
| \$3,500,000 | Total Value |

Boulder County will acquire these interests:

- 77 Acres (Fee) [\$38,961/acre]
- 2 Building Rights [\$1,400,000/right]
- 2 Shares of Water Rights in Palmerton Ditch Company [\$250,000/share]
- All Mineral Rights [\$100,000]

The property is not subject to an oil and gas lease.

Boulder County Comprehensive Plan Designations

The Boulder County Comprehensive Plan (Comp Plan) provides information about the area's agricultural, cultural, environmental, and other open space resources (including passive recreation, community buffers, and scenic viewsheds). Maps in the Comp Plan indicate the following designations of these resources near the property: Preble's Meadow Jumping Mouse Suitable Contiguous Habitat, Riparian Areas, View Protection Corridor (both Highway 66 and 75th Avenue), Agricultural Lands of Statewide Significance.

Potential Uses

Like all properties acquired for open space, the property will be managed for an open space use. The property is currently used for irrigated agriculture. The Agricultural Resources Division will manage the existing agricultural lease. The property will be closed to public use due to the active agricultural lease, unless Parks & Open Space later determines other closures or open space uses are appropriate.

The department will determine whether agricultural uses of the property will continue or whether other open space uses of the property may be suitable. The process to determine specific future open space uses (including public access via trails or other passive recreation versus closures that protect a property's open space resources) is an involved planning process that can only be done after acquisition. Parks & Open Space staff need ample time after acquisition to evaluate the property, and no evaluations about other potential future uses have been made at this time.

Staff Recommendation

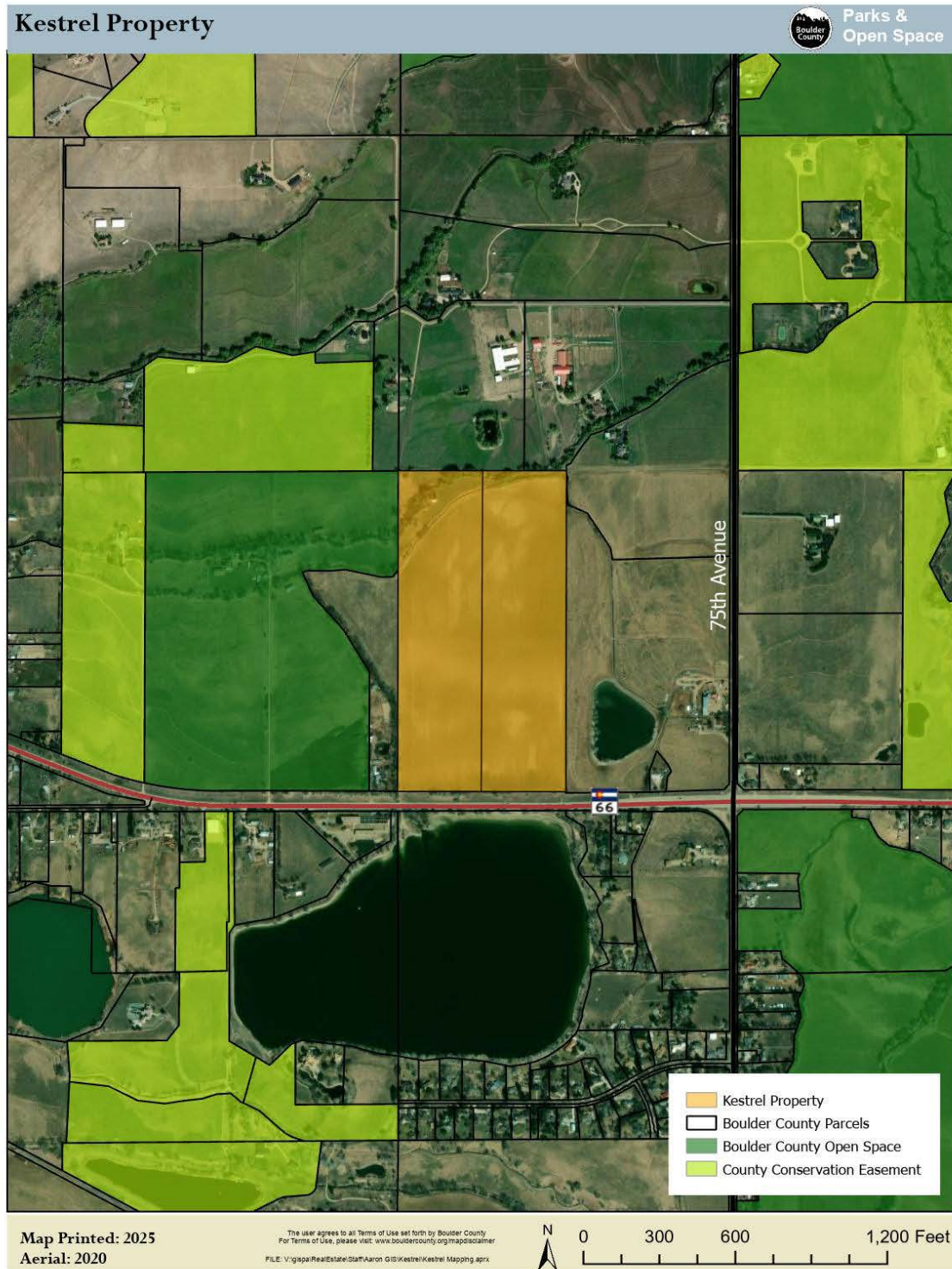
Staff recommends approval. The Kestrel property has been a priority acquisition for a number of years. The property is adjacent to Cottonwood and will increase protection of scenic, agricultural, water, and other natural resources in the area, including suitable habitat for the Preble's Meadow Jumping mouse.

POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval of the project as described above and as further described by staff at the POSAC meeting.

Suggested motion language: I move approval of the project as described above and as further described by staff in their presentation.

Vicinity Map



Close-Up Map

