



Parks & Open Space

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TO: BOCC and Jana Petersen
FROM: Mike Foster, Agricultural Resource Manager
Cc: Therese Glowacki, Natalie Springett
MEMO DATE: December 3, 2021
PUBLIC HEARING DATE: December 7, 2021
RE: Public Meeting on Cropland Policy Adoption

Since October 1, 2021 Boulder County Parks & Open Space (BCPOS) has been engaging in a robust public process to seek input on three key changes to the Cropland Policy. This policy applies to county-owned agricultural land. As a result of this process, BCPOS recommends the following changes to the policy.

- Allow genetically engineered (GE) corn and sugar beet crops to be grown on BCPOS agricultural lands;
 - The updated policy aligns with the first cropland policy adopted in 2012 which permitted these two GE crops to be grown on county owned agricultural land.
 - Any proposed new GE crops must undergo a rigorous review process by BCPOS before being allowed on county-owned agricultural land.
- Restrict the use of neonicotinoid pesticides on BCPOS agricultural lands with the following exceptions:
 - Allow neonicotinoid seed coatings for current farmers operating under an agreement with Wester Sugar Cooperative.
 - Consider other neonicotinoid use on a case-by-case basis, under limited circumstances.
 - The two listed exceptions must reduce overall pesticide use.
- Develop a soil health program.
 - Establish principles-based program that addresses the functioning of soil as a complex system such as cover crops, compost addition and no/reduced till.
 - The program aims to reduce soil erosion, sequester carbon, improve air and water quality and promote sustainable and regenerative farming practices.
 - BCPOS will collaborate with tenants to develop and implement the program.

Approximately six hours of public testimony and over 200 written comments were taken between October 1 and November 22, 2021. There are many perspectives on this issue and staff recognize this is a difficult decision with many trade-offs to consider. Staff believe they have reached a middle ground that balances reducing pesticide use, promoting and encouraging diversity in cropping systems, crops, and farming practices while focusing on principals to improve overall soil health. Staff believe this approach will help mitigate against climate change and support a more resilient community.

RECOMMENDATION

BOCC approval of the 2021 amendments to the Cropland Policy (attached).

Attachments

- Clean version of the Amended Cropland Policy
- Yellow highlights noting changes to the Amended Cropland Policy
- Written public comments received since November 8
- Link to all public comments received:
<https://www.bouldercounty.org/open-space/management/cropland-policy/>

Boulder County Parks & Open Space Cropland Policy

Updated 2021



We are indebted to the members of the community who served on the original Cropland Policy Advisory Group for their time, effort, and willingness to engage in the discussions that formed this policy.

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Rich Andrews	Keith Bateman
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Dan Lisco	Emily Prisco
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Boulder County Parks & Open Space Mission

To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values

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Cropland Policy Vision

Boulder County Parks & Open Space's vision is to be a national leader in sustainable agriculture.

Purpose Statement:

The policy directs Boulder County Parks & Open Space (BCPOS) management of cropland on agricultural properties owned by the public and leased to tenant farmers. The policy supports the sustainable stewardship of the lands by the department's tenant partners who reflect a diversity of agricultural producer systems. The policy frames and defines the BCPOS programs for conducting this work.

Scope:

The policy applies to BCPOS and the tenant farmers managing croplands on county open space.

Agricultural properties and operations covered by this policy include dryland and irrigated crop production, irrigated pasture and irrigated forage, and infrastructure supporting these operations.

Rangeland and dryland pasture for grazing is covered under the Grassland Management Policy.

Accountability:

The responsibility for compliance with the policy lies with both BCPOS staff, particularly the Agricultural and Water Resources Division which administers and oversees lease agreements, and tenant farmers.

Review of the policy and program will focus on the achievement of outcomes set out in the policy.

Sustainability:

Sustainability is one of Boulder County's Guiding Values. The county defines sustainability as the "use, development and protection of resources in a way that enables Boulder County residents to meet their needs and maintain a high quality of life, without compromising the ability of future residents to do the same."

Boulder County values balancing a strong economy, protection of the environment and social equity and is committed to environmental, social, and economic sustainability and to building partnerships to help make the broader community more sustainable.

The Cropland Policy represents the practical application of sustainability to BCPOS agricultural properties, with a particular emphasis on considering long-term implications of agricultural management choices.

Cropland Policy Advisory Group:

The original Cropland Policy was developed in 2011 by an advisory group comprised of nine citizens representing a variety of agricultural and public stakeholder perspectives.

A link to the revisions and history of the Cropland Policy, as well as, former versions of the Policy can be found in the Appendix.

Boulder County Parks & Open Space Cropland Policy

1. Program Priorities

Fundamental to the administration of the agricultural open space program is an understanding of the priorities and values that guide the program. The following principles set forth both statements of priorities and ways in which they will be applied by BCPOS.

General

- 1.1. Boulder County shall promote and encourage diversity in cropping systems, crops, and practices, to balance risks associated with factors beyond farmers' control, such as weather events, price fluctuations, federal price supports, etc.
- 1.2. Boulder County supports operators willing to explore and adopt new farming practices and new markets that embody the department's and the community's long-term goals while also practicing sound management.
- 1.3. Boulder County supports self-sufficient and economically viable agricultural operations and recognizes they are essential to the overall viability of the agricultural program.
- 1.4. Boulder County shall administer a program to support and encourage small acreage farms on BCPOS land.
- 1.5. Boulder County shall adopt Good Neighbor Guidelines. All agricultural tenants shall be provided, and comply with, the expectations of the Good Neighbor Guidelines.
- 1.6. BCPOS shall establish Good Neighbor Guidelines as a means to prevent and address concerns among tenants and between tenants and the larger Boulder County community. Boulder County shall share information on the policies for farming on open space and shall act as a communication hub for addressing agricultural management concerns on BCPOS properties of both tenants and the community.
- 1.7. Boulder County shall work with County Extension and other organizations to foster communication and coordination among growers to proactively address co-existence issues, such as cross-pollination and chemical trespass.
- 1.8. Food safety regulations for producers on Boulder County cropland are enforced through governmental entities, which include but are not limited to: Boulder County Health Department, Colorado Department of Public Health and the Environment, and Federal regulators. Farmers must abide by these regulations.

Markets

- 1.9. Boulder County will prioritize the expansion of food crops on open space land for local markets.
- 1.10. Boulder County works with tenant farmers, resource providers, local businesses, and organizations to encourage development of necessary infrastructure and relationships to

support existing markets and explore new markets for agricultural products produced on BCPOS properties.

- 1.11. Boulder County shall work with local and regional economic development, business and community organizations to integrate agricultural economic development into overall community and economic development strategies and to promote strategies to strengthen and expand existing farm and agri-businesses and attract activities complementary to agriculture to Boulder County.
- 1.12. Boulder County shall work collaboratively with farmers' markets and other marketing opportunities to support the use of open space products in providing local foods.
- 1.13. Boulder County supports the development of direct-to-market operations, such as on-site sales and shall consider facilities and structures, subject to land use code, necessary for such operations as described in the Administrative Section of the Cropland Policy.

2. Program Administration

The success of the department's cropland agriculture program depends on a clear communication with BCPOS staff, current and prospective tenants, and the public about the manner in which the program is administered. The bid process and lease agreements are the foundation of the agriculture program and informed by the following set of guidelines.

General

- 2.1. Revenue obtained through the lease of agriculturally designated land should first be used to fund the Agricultural Resources Program and the capital and maintenance activities of the Program.

Bid Process and Lease Administration

- 2.2. Most leases shall be bid competitively, and the selection criteria shall be publicly available. In some cases, properties are not competitively bid in order to respect a specific purchase agreement or to recognize the efficiencies gained by combining adjacent parcels for improved land management, including irrigation management.
- 2.3. Leases are negotiated based on a standard form at market rates but reflect conditions at each property, the type of operation proposed, and the goals of sustainable agriculture as stated in the Cropland Policy.
- 2.4. BCPOS uses both cash rent and crop share methods to tailor leases to the character of the land and the type of operation.
- 2.5. Leases are awarded to farmers who employ environmentally and economically sustainable practices and who demonstrate a commitment to investing in innovative practices through education and skills development.
- 2.6. Boulder County supports creating lease terms that encourage tenant investment in infrastructure to enhance productivity.

Boulder County Parks & Open Space Cropland Policy

- 2.7. BCPOS supports farmer succession planning. Boulder County considers succession plans as one of many factors evaluated in the lease bid process.
- 2.8. Boulder County reviews economic viability of agricultural operations on BCPOS land when assessing lease bids. The Agricultural Resources Division shall work with tenant farmers to improve productivity when and where possible.
- 2.9. Boulder County recognizes the value of forage production to the local livestock industry and will prioritize forage production operations in the lease bid process for certain appropriate BCPOS agricultural properties.
- 2.10. Lessees seeking USDA organic certification, under an approved organic-certifier plan, shall receive a 50% reduction in rent during the three-year transition.
- 2.11. Lease applications and lease consideration shall be available to individuals, non-profits, or community groups who wish to lease an agricultural parcel for the purpose of rebuilding soil and ecosystem health of the parcel, transitioning the parcel to organic certification and production, or farming the parcel for public and community benefit.
- 2.12. Boulder County recognizes the importance of exploration and testing of farming practices by tenant farmers. Boulder County shall consider adjustments to property lease rates for prospective tenant bids that incorporate agricultural testing and experimentation. For property leases with adjusted lease rates because of agricultural testing and experimentation, Boulder County will provide the public with resulting raw data and reports. Formal research and biological inventories on BCPOS properties are possible through a permit process. Permit applications and research reports are available on the BCPOS website.
- 2.13. At the beginning or at the renewal of a lease, lease terms may be modified to protect natural resources. If during a lease term, measures, approved by Boulder County, to protect a natural resource affect the terms of the lease, Boulder County shall compensate for the losses at the tenant's share of an average crop insurance claim.

3. Operations on BCPOS Agricultural Properties

Agricultural operations are complex enterprises combining science, art, business, and lifestyle. The following guidelines set expectations of communication and planning and address property infrastructure and genetic technology.

General

- 3.1. Structures, facilities, and special uses for agricultural properties may be allowed but must first be approved by BCPOS, allowed under County Land Use Code, and not remove cropland from productive use. Such structures, facilities, and uses shall be of a scale such that they do not affect the predominate nature of open space as open land. BCPOS approval shall consider neighborhood compatibility and other potential impacts.
- 3.2. Tenants shall operate in accordance with Soil and Water Conservation Plans approved by the Natural Resources Conservation Service.

- 3.3. Tenants shall operate in accordance with operating plans developed in collaboration with BCPOS.
- 3.4. Boulder County shall maintain relationships with partner agencies, organizations, and consultants that provide guidance to tenant farmers and facilitate communication between those organizations and tenant farmers. Boulder County shall encourage the exploration of a variety of practices to address management concerns.
- 3.5. Boulder County maintains current infrastructure and invests strategically in capital improvement projects to attract a larger pool of agricultural producers.

Genetically Engineered (GE) Crops

- 3.6. Boulder County will allow only the planting of GE crops on BCPOS cropland when the likely, demonstrable benefits from the planting of the GE crop will surpass the costs and credibly verified scientifically documented risks associated with adoption of the GE technology.

Approval Process:

- 3.7. Application evaluations shall be made by BCPOS staff in consultation with representatives from the University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant farmers, and other agricultural organizations.
- 3.8. Boulder County shall consider GE trait claims and specific potential impacts of a GE crop in assessing any application for the planting of a GE crop on BCPOS agricultural properties. One or more of the following specific potential impacts are to be used in the evaluation for each GE crop application and shall be determined by alignment of the considered impact with the trait claim made by the manufacturer.
 - **Integrated Pest Management and Resistance Management:** The GE technology shall be compatible with the BCPOS Strategic Integrated Pest Management Program.
 - **Pest Control:** The GE cultivar shall allow farmers to reduce the environmental impacts of pesticides through a shift to reduced-risk pesticides and/or a reduction in pesticide use on a per acre basis.
 - **Conservation:** The GE technology shall be compatible with BCPOS Soil Health Program and the BCPOS Water Policy.
 - **Yield and Quality Management:** The GE technology shall increase crop yield, crop quality, and/or profitability compared to levels in Boulder County at the time of assessment.
 - **Human Nutrition:** The GE technology shall enhance the nutritional quality and content of the harvested crop.
 - **Allergens and Toxicity:** The GE technology shall substantially reduce the levels of known or expected human allergens or toxins compared to standard varieties of the crop.

Use of BCPOS-Approved GE Crop Varieties:

- 3.9. The terms and restrictions imposed as a condition of planting BCPOS-approved GE crop should not abridge the ability of tenants to choose the crop varieties most suited to their agricultural operation or otherwise limit management discretion.

GE Crop Planting and Use Protocol:

- 3.10. Boulder County shall develop a protocol for the use of each approved GE crop variety on BCPOS agricultural properties. Protocols must address the following:
- **Gene Flow:** Practices to minimize opportunities for the genetic material of the GE crop variety to move into the local non-GE crop population.
 - **Notification:** Notification of the public of the approval of the GE crop variety and communication with property neighbors.
 - **Resistance management:** Practices to minimize the development of pesticide resistance for GE crop varieties with pesticide-related GE traits.
 - **GE Crop Monitoring:** Boulder County shall develop a monitoring program for each approved GE crop variety in cooperation with tenant farmers, CSU Extension, and other partner agencies. The monitoring program will track indicators associated with the expected benefits of the GE crop variety. The monitoring program will additionally document any adverse impacts of the GE crop variety.

Three Year Assessment:

- 3.11. Three years after approval of a GE crop variety, BCPOS Agriculture and Water Resources Division staff will evaluate the monitoring data collected for the crop variety. The evaluation will include assessments of the quality and consistency of the GE benefits and any adverse impacts. Approval of the GE crop variety can be renewed for another three years. After two consecutive review cycles of approvals, the three-year assessment is no longer required.

Currently Approved GE Crop Varieties:

Glyphosate-resistant crops are currently planted on BCPOS agricultural properties.

The glyphosate-resistant crops currently permitted on BCPOS agricultural properties are corn and sugar beets.

Protocols for glyphosate-resistant corn and sugar beets include a requirement for tenant farmers to annually rotate glyphosate-resistant varieties with non-glyphosate-resistant varieties.

In the event that annual rotations are not possible, a two-year consecutive planting of glyphosate-resistant crop varieties must be followed by a two-year rotation of non-glyphosate-resistant crop varieties.

If Boulder County approves a glyphosate-resistant wheat in the future, it would be allowed following existing GE rotations restrictions.

Bt corn is also approved for planting on BCPOS agricultural properties.

Protocols for the planting and use of Bt corn include pesticide resistance management.

4. Management and Programs

BCPOS prioritizes sustainable management of open space properties. To that end, programs are developed to be resources for tenant farmers and to ensure that management aligns with community goals and values. The following polices establish two major programs, Strategic Integrated Pest Management and Soil Health Initiative as the foundation for addressing long-term

conservation concerns. The management of livestock on cropland acres, prairies dogs, and organic production are also included in this section.

Strategic Integrated Pest Management

- 4.1. Boulder County recognizes the importance of pest management to viable agricultural operations.
- 4.2. Boulder County, in collaboration with representatives from the University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant farmers, and other agricultural organizations, shall develop a Strategic Integrated Pest Management Program for use on BCPOS Agricultural properties incorporating the principles of Integrated Pest Management. The Integrated Pest Management Program will be strategic by incorporating a long-term, multi-year approach to pest management decisions and by providing recommendations and/or resources for selecting site-specific practices on leased BCPOS agricultural properties.
- 4.3. Boulder County shall work collaboratively with producers, technical advisors and researchers to determine the best and most effective tools for managing pests on open space Agricultural properties.
- 4.4. Boulder County recognizes that Strategic Integrated Pest Management principles include the use of diverse methods of pest control and minimizing the application of pesticides. Pesticide use on BCPOS agricultural properties by tenant farmers is to be kept to the minimum necessary for effective pest control and in compliance with the Strategic Integrated Pest Management Program. Boulder County shall implement monitoring programs to track pesticide usage on BCPOS agricultural properties.
- 4.5. Any pesticide application on open space agricultural lands shall be completed in compliance with the Agricultural Division's application protocols.
- 4.6. Signage shall be posted on any fee-owned county properties along trails where pesticide spraying will take place adjacent to trails. Signage will be posted prior to pesticide spraying. The signage will include the spray date (or range of dates), type of pesticide being sprayed, and trail closures, if necessary.
- 4.7. Boulder County allows tenants of BCPOS agricultural properties to use any legal method of pest control that is in compliance with the Strategic Integrated Pest Management Program and other Boulder County regulations and policies. BCPOS reserves the right to restrict specific pesticides and/or application practices.
- 4.8. The use of neonicotinoid pesticides on BCPOS agricultural properties will be restricted within the framework of the BCPOS Strategic Integrated Pest Management Program. Approval from BCPOS staff for the use of neonicotinoid pesticides by tenant farmers on BCPOS agricultural properties will be granted on a case-by-case basis under limited conditions. It will be subject to an evaluation of environmental and economic sustainability considerations, including but not limited to, when justified by extreme pest pressure or when other pesticides would be ineffective or have a disproportional environmental impact relative to neonicotinoid pesticides.

Tenant farmers who operate under a current Shareholder Agreement with Western Sugar Cooperative are excluded from the above-mentioned approval process and are allowed to plant the sugar beet seed with neonicotinoid seed coatings required pursuant to their shareholder agreement.”

- 4.9. Agricultural tenants shall be provided and comply with clear expectations of Strategic Integrated Pest Management goals.

Soil Health Initiative

- 4.10. Boulder County recognizes the value and function of soil ecosystem services to both agricultural production and the local and global environment. Boulder County, in collaboration with representatives from the University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant farmers, and other agricultural organizations, shall develop a soil health program for use on BCPOS agricultural properties incorporating the principles of soil health and providing recommendations for site-specific practices on leased BCPOS agricultural properties.
- 4.11. Boulder County prioritizes the arrest and reversal of soil degradation and the improvement of soil quality on BCPOS agricultural properties. Boulder County shall implement monitoring programs to track soil quality indicators. Data resulting from the monitoring programs shall be made available when requested.
- 4.12. Boulder County shall encourage the exploration of a variety of practices by BCPOS tenants to address soil fertility.
- 4.13. Boulder County shall assure compliance with all federal, state and local health department requirements, as well as implement all BCPOS requirements for the use of biosolids on Boulder County lands.

Livestock management

- 4.14. Livestock operations are permitted on properties suitable for livestock.
- 4.15. Livestock operations are recognized as a valuable tool in management programs, such as Strategic Integrated Pest Management and Soil Health. Livestock operations shall be encouraged both as a rotational phase in diversified operations and as a primary agricultural operation on appropriate BCPOS agricultural properties.
- 4.16. Boulder County shall collaborate with tenants, federal, state, local agencies, and others to develop physical infrastructure to support viable livestock operations on BCPOS agricultural properties.
- 4.17. Animal Feeding Operations (AFOs), as defined by the EPA, are permitted on BCPOS property on agricultural properties only with specific permission <https://www.epa.gov/npdes/animal-feeding-operations-afos>

- 4.18. Animal Feeding Operations (AFOs) shall be sited according to federal, state and county laws, in appropriate areas with consideration given for appropriate buffers for natural resources and neighbors.
- 4.19. AFOs shall employ Best Management Practices for manure management to maximize the use and preservation of manure nutrients in local crop production and shall minimize the release of environmental air and water emissions.

Prairie Dogs

- 4.20. All BCPOS cropland shall be defined as a No Prairie Dog Area as outlined in the Prairie Dog Element of the Grassland Management Policy. <https://assets.bouldercounty.org/wp-content/uploads/2017/04/prairie-dog-habitat-element-grassland-policy.pdf>
- 4.21. Boulder County shall prioritize preventing prairie dog encroachment onto BCPOS cropland. Lethal control of prairie dogs will be in accordance with the Prairie Dog Element of the Grassland Management Plan.
- 4.22. After training and with approval from BCPOS, lease holders may perform lethal control of prairie dogs on their leased cropland.

Organic Production

- 4.23. Boulder County shall prioritize opportunities for organic operations on BCPOS land and continue expansion of certified organic agriculture on open space land with the goal of maintaining a growth rate in acres leased for organic agriculture that meets or exceeds the national growth rate of organic acres in each year, if market forces allow. Boulder County will work with producers, the natural foods industry, and other stakeholders to explore and expand market opportunities.

5. Education and Outreach

Sustainability of agricultural open space is not limited to agricultural management. Communication with the public allows for a greater understanding of local food systems and connects the community to the landscape and to those who produce the food, fuel, and fiber they encounter every day.

The Vision of the Agricultural and Water Resources Division is “Thriving agricultural lands for generations to come.” Part of ensuring the long-term viability of local agriculture is stewarding not just the land but the people who will care for it.

General

- 5.1. Staff shall develop methods for creating public awareness of the role of public open space in crop and local food production.

- 5.2. BCPOS shall develop educational material demonstrating the value and importance of livestock and grazing for the agricultural economy of Boulder County and as a cropland management tool.
- 5.3. Boulder County works with a variety of organizations including CSU Extension, to support educational programs that promote farming as a career, enrich farming practices, and encourage engagement with farmers.

Generations to Come

- 5.4. Boulder County recognizes the importance of developing farmers interested in many different forms of farming. Boulder County shall continue to support beginning farmers through youth in agriculture programs, working with CSU Extension, and providing competitive lease rates. Boulder County shall develop programs to foster the development of beginning farmers on Boulder County open space.
- 5.5. Boulder County shall develop and maintain a program to help beginning farmers to develop skills and practices while sharing land management responsibilities with other farmers.

6. Associated Resource Values

Agriculture intersects with a diverse array of activities and resources. The following guidelines set expectations for the interaction of BCPOS agricultural properties and tenants with commonly encountered situations.

Water

- 6.1. Boulder County shall fully use county-owned water in an effective and efficient manner. BCPOS and tenant farmers will review and abide by the BCPOS Water Policy <https://assets.bouldercounty.org/wp-content/uploads/2017/03/water-policy.pdf>

Cultural Resources

- 6.2. Standard operating procedures shall be developed to protect cultural resources on cropland.

Recreation

- 6.3. Trails shall be developed on agricultural land only with appropriate considerations for agricultural value. Trails shall be:
 - 6.3.1. Designed to minimize loss of cropland, irrigation interference, and impact on agricultural operations.
 - 6.3.2. Sited to reduce the possibility of weed transfer to ditches or fields.
 - 6.3.3. Closed to the public if/when pesticide application is in progress.

Natural Resources

- 6.4. Boulder County and its agricultural tenants shall abide by all federal and state laws governing wetlands, wildlife, and plant species.
- 6.5. The County Comprehensive Plan Critical Wildlife habitats shall be considered a priority for protection when leases and agricultural operating plans are developed.
- 6.6. For any wildlife designated as State Threatened or Species of County or State Concern, BCPOS staff shall work with tenants to develop best management practices and site-specific plans to manage them.
- 6.7. If a new occurrence of a protected species occurs on BCPOS land, no additional disturbance within the recommended US Fish and Wildlife Service or Colorado Department of Parks and Wildlife buffer shall occur. Existing operations can continue except where prohibited by these agencies.
- 6.8. To the extent possible, BCPOS shall preserve wildlife corridors through agricultural land:
 - 6.8.1 Highest priority corridors to preserve are natural streams – BCPOS shall develop Best Management Practices (BMPs) and appropriate site-specific buffers to protect these areas.
 - 6.8.2 Ditches often serve as corridors and, to the extent possible, these riparian-like habitats shall be maintained.
- 6.9. Boulder County shall preserve wetlands and Comprehensive Plan-designated Critical Wildlife Habitat by developing site-specific best management practices and buffers to protect these areas.
- 6.10. Where feasible, Boulder County shall enhance wildlife habitat on agricultural properties (drainages, grassed waterways, corners of pivot systems, and non-productive land).
- 6.11. Boulder County recognizes the importance of pollinators to agricultural production and functional ecosystems. Boulder County shall encourage cooperation and facilitate dialog among tenant farmers and other parties interested in the conservation of pollinator populations. Boulder County shall consider the impacts on pollinator populations in the design of a Strategic Integrated Pest Management program.

Appendix

The history and amendments to the Cropland Policy can be found here:

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Updated 2021



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- 1.4. Boulder County shall administer a program to support and encourage small acreage farms on BCPOS land.
- 1.5. Boulder County shall adopt Good Neighbor Guidelines. All agricultural tenants shall be provided, and comply with, the expectations of the Good Neighbor Guidelines.
- 1.6. BCPOS shall establish Good Neighbor Guidelines as a means to prevent and address concerns among tenants and between tenants and the larger Boulder County community. Boulder County shall share information on the policies for farming on open space and shall act as a communication hub for addressing agricultural management concerns on BCPOS properties of both tenants and the community.
- 1.7. Boulder County shall work with County Extension and other organizations to foster communication and coordination among growers to proactively address co-existence issues, such as cross-pollination and chemical trespass.
- 1.8. Food safety regulations for producers on Boulder County cropland are enforced through governmental entities, which include but are not limited to: Boulder County Health Department, Colorado Department of Public Health and the Environment, and Federal regulators. Farmers must abide by these regulations.

Markets

- 1.9. Boulder County will prioritize the expansion of food crops on open space land for local markets.

Highlighted = suggestion from public comment or staff

Red text – added by POSAC

- 1.10. Boulder County works with tenant farmers, resource providers, local businesses, and organizations to encourage development of necessary infrastructure and relationships to support existing markets and explore new markets for agricultural products produced on BCPOS properties.
- 1.11. Boulder County shall work with local and regional economic development, business and community organizations to integrate agricultural economic development into overall community and economic development strategies and to promote strategies to strengthen and expand existing farm and agri-businesses and attract activities complementary to agriculture to Boulder County.
- 1.12. Boulder County shall work collaboratively with farmers' markets and other marketing opportunities to support the use of open space products in providing local foods.
- 1.13. Boulder County supports the development of direct-to-market operations, such as on-site sales and shall consider facilities and structures, subject to land use code, necessary for such operations as described in the Administrative Section of the Cropland Policy.

2. Program Administration

The success of the department's cropland agriculture program depends on a clear communication with BCPOS staff, current and prospective tenants, and the public about the manner in which the program is administered. The bid process and lease agreements are the foundation of the agriculture program and informed by the following set of guidelines.

General

- 2.1. Revenue obtained through the lease of agriculturally designated land should first be used to fund the Agricultural Resources Program and the capital and maintenance activities of the Program.

Bid Process and Lease Administration

- 2.2. Most leases shall be bid competitively, and the selection criteria shall be publicly available. In some cases, properties are not competitively bid in order to respect a specific purchase agreement or to recognize the efficiencies gained by combining adjacent parcels for improved land management, including irrigation management.
- 2.3. Leases are negotiated based on a standard form at market rates but reflect conditions at each property, the type of operation proposed, and the goals of sustainable agriculture as stated in the Cropland Policy.
- 2.4. BCPOS uses both cash rent and crop share methods to tailor leases to the character of the land and the type of operation.

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Red text – added by POSAC

- 2.5. Leases are awarded to farmers who employ environmentally and economically sustainable practices and who demonstrate a commitment to investing in innovative practices through education and skills development.
- 2.6. Boulder County supports creating lease terms that encourage tenant investment in infrastructure to enhance productivity.
- 2.7. BCPOS supports farmer succession planning. Boulder County considers succession plans as one of many factors evaluated in the lease bid process.
- 2.8. Boulder County reviews economic viability of agricultural operations on BCPOS land when assessing lease bids. The Agricultural Resources Division shall work with tenant farmers to improve productivity when and where possible.
- 2.9. Boulder County recognizes the value of forage production to the local livestock industry and will prioritize forage production operations in the lease bid process for certain appropriate BCPOS agricultural properties.
- 2.10. Lessees seeking USDA organic certification shall receive a 50% reduction in rent during the three-year transition.
Lessees seeking USDA organic certification, under an approved organic-certifier plan, shall receive a 50% rent reduction during the three-year transition period.
- 2.11. Lease applications and lease consideration shall be available to individuals, non-profits, or community groups who wish to lease an agricultural parcel for the purpose of rebuilding soil and ecosystem health of the parcel, transitioning the parcel to organic certification and production, or farming the parcel for public and community benefit.
- 2.12. Boulder County recognizes the importance of exploration and testing of farming practices by tenant farmers. Boulder County shall consider adjustments to property lease rates for prospective tenant bids that incorporate agricultural testing and experimentation. For property leases with adjusted lease rates because of agricultural testing and experimentation, Boulder County will provide the public with resulting raw data and reports. Formal research and biological inventories on BCPOS properties are possible through a permit process. Permit applications and research reports are available on the BCPOS website.
- 2.13. At the beginning or at the renewal of a lease, lease terms may be modified to protect natural resources. If during a lease term, measures, approved by Boulder County, to protect a natural resource affect the terms of the lease, Boulder County shall compensate for the losses at the tenant's share of an average crop insurance claim.

3. Operations on BCPOS Agricultural Properties

Agricultural operations are complex enterprises combining science, art, business, and lifestyle. The following guidelines set expectations of communication and planning and address property infrastructure and genetic technology.

Highlighted = suggestion from public comment or staff

Red text – added by POSAC

General

- 3.1. Structures, facilities, and special uses for agricultural properties may be allowed but must first be approved by BCPOS, allowed under County Land Use Code, and not remove cropland from productive use. Such structures, facilities, and uses shall be of a scale such that they do not affect the predominate nature of open space as open land. BCPOS approval shall consider neighborhood compatibility and other potential impacts.
- 3.2. Tenants shall operate in accordance with Soil and Water Conservation Plans approved by the Natural Resources Conservation Service.
- 3.3. Tenants shall operate in accordance with operating plans developed in collaboration with BCPOS.
- 3.4. Boulder County shall maintain relationships with partner agencies, organizations, and consultants that provide guidance to tenant farmers and facilitate communication between those organizations and tenant farmers. Boulder County shall encourage the exploration of a variety of practices to address management concerns.
- 3.5. Boulder County maintains current infrastructure and invests strategically in capital improvement projects to attract a larger pool of agricultural producers.

Genetically Engineered (GE) Crops

- 3.6. Boulder County will allow only the planting of GE crops on BCPOS cropland when the likely, demonstrable benefits from the planting of the GE crop will surpass the costs and credibly verified scientifically documented risks associated with adoption of the GE technology.

Approval Process:

- 3.7. Boulder County shall consider only GE crop varieties approved for use in the United States by federal agencies.

~~3.8. There shall be a waiting period of at least three years between approval for use in the United States by federal agencies of a GE crop variety and that GE crop variety being approved for planting on BCPOS agricultural properties.~~

Application evaluations shall be made by BCPOS staff in consultation with representatives from the University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant farmers, and other agricultural organizations.

Highlighted = suggestion from public comment or staff

Red text – added by POSAC

3.9. Boulder County shall consider GE trait claims and specific potential impacts of a GE crop in assessing any application for the planting of a GE crop on BCPOS agricultural properties. ~~Any or all~~ **One or more** of the following specific potential impacts are to be used in the evaluation. ~~The specific potential impacts examined~~ for each GE crop application **and** shall be determined by alignment of the considered impact with the trait claim made by the manufacturer.

- **Integrated Pest Management and Resistance Management:** The GE technology shall be compatible with the BCPOS Strategic Integrated Pest Management Program.
- **Pest Control:** The GE cultivar shall allow farmers to **significantly** reduce the environmental impacts of pesticides through a shift to reduced-risk pesticides and/or a reduction in pesticide use on a per acre basis.
- **Conservation:** The GE technology shall be compatible with BCPOS Soil Health Program and the BCPOS Water Policy.
- **Yield and Quality Management:** The GE technology shall **substantially** increase crop yield, crop quality, and/or profitability compared to levels in Boulder County at the time of assessment.
- **Human Nutrition:** The GE technology shall **substantially** enhance the nutritional quality and content of the harvested crop.
- **Allergens and Toxicity:** The GE technology shall substantially reduce the levels of known or expected human allergens or toxins compared to standard varieties of the crop.

Use of BCPOS-Approved GE Crop Varieties:

3.10. The terms and restrictions imposed as a condition of planting BCPOS-approved GE crop should not abridge the ability of tenants to choose the crop varieties most suited to their agricultural operation or otherwise limit management discretion.

GE Crop Planting and Use Protocol:

3.11. Boulder County shall develop a protocol for the use of each approved GE crop variety on BCPOS agricultural properties. Protocols must address the following:

- **Gene Flow:** Practices to minimize opportunities for the genetic material of the GE crop variety to move into the local non-GE crop population.
- **Notification:** Notification of the public of the approval of the GE crop variety and communication with property neighbors.
- **Resistance management:** Practices to minimize the development of pesticide resistance for GE crop varieties with pesticide-related GE traits.
- **GE Crop Monitoring:** Boulder County shall develop a monitoring program for each approved GE crop variety in cooperation with tenant farmers, CSU Extension, and other partner agencies. The monitoring program will track indicators associated with the expected benefits of the GE crop variety. The monitoring program will additionally document any adverse impacts of the GE crop variety.

Five Year Assessment:

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~~3.12. Approval of any GE crop variety shall be granted for five years at a time. At the end of the five-year approval period Boulder County shall evaluate the data collected in the monitoring program. The evaluation of the GE crop variety will include assessments by BCPOS staff of the quality and consistency of the GE benefits and any adverse impacts. Approval of the GE crop variety can be granted for an additional five-year period if the assessment by Boulder County is favorable.~~

Boulder County will evaluate the data collected in the GE monitoring program every three years. The evaluation of the GE crop varieties will include assessments by BCPOS agriculture staff of the quality and consistency of the GE benefits and any adverse impacts. Approval of the GE crop variety will be continued if the assessment by Boulder County is favorable. After two consecutive review cycles of approvals, the three-year assessment is no longer required.

Currently Approved GE Crop Varieties:

Glyphosate-resistant crops are currently planted on BCPOS agricultural properties.

The glyphosate-resistant crops currently permitted on BCPOS agricultural properties are corn and sugar beets.

Protocols ~~for the planting and use of~~ for glyphosate-resistant corn and sugar beets include a requirement for tenant farmers to annually rotate glyphosate-resistant varieties with non-glyphosate-resistant varieties.

In the event that annual rotations are not possible, a two-year consecutive planting of glyphosate-resistant crop varieties must be followed by a two-year rotation of non-glyphosate-resistant crop varieties.

~~If Boulder County approves a glyphosate-resistant wheat in the future, it would be allowed following existing GE rotations restrictions.~~

Bt corn is also approved for planting on BCPOS agricultural properties.

Protocols for the planting and use of Bt corn include pesticide resistance management.

~~If in the future Boulder County approves any glyphosate-resistant wheat variety, it shall not be allowed to be planted in a rotation with other glyphosate-resistant crop varieties.~~

4. Management and Programs

BCPOS prioritizes sustainable management of open space properties. To that end, programs are developed to be resources for tenant farmers and to ensure that management aligns with community goals and values. The following polices establish two major programs, Strategic Integrated Pest Management and Soil Health Initiative as the foundation for addressing long-term conservation concerns. The management of livestock on cropland acres, prairies dogs, and organic production are also included in this section.

Strategic Integrated Pest Management

4.1. Boulder County recognizes the importance of pest management to viable agricultural operations.

Boulder County Parks & Open Space Cropland Policy

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- 4.2. Boulder County, in collaboration with representatives from the University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant farmers, and other agricultural organizations, shall develop a Strategic Integrated Pest Management Program for use on BCPOS Agricultural properties incorporating the principles of Integrated Pest Management. The Integrated Pest Management Program will be strategic by incorporating a long-term, multi-year approach to pest management decisions and by providing recommendations and/or resources for selecting for site-specific practices on leased BCPOS agricultural properties.
- 4.3. Boulder County shall work collaboratively with producers, technical advisors and researchers to determine the best and most effective tools for managing pests on open space Agricultural properties.
- 4.4. Boulder County recognizes that Strategic Integrated Pest Management principles include the use of diverse methods of pest control and minimizing the application of pesticides. Pesticide use on BCPOS agricultural properties by tenant farmers is to be kept to the minimum necessary for effective pest control and in compliance with the Strategic Integrated Pest Management Program. Boulder County shall implement monitoring programs to track pesticide usage on BCPOS agricultural properties.
- 4.5. Any pesticide application on open space agricultural lands shall be completed in compliance with the Agricultural Division's application protocols.
- 4.6. Signage shall be posted on any fee-owned county properties along trails where pesticide spraying will take place adjacent to trails. Signage will be posted prior to pesticide spraying. The signage will include the spray date (or range of dates), type of pesticide being sprayed, and trail closures, if necessary.
- 4.7. Boulder County allows tenants of BCPOS agricultural properties to use any legal method of pest control that is in compliance with the Strategic Integrated Pest Management Program and other Boulder County regulations and policies. BCPOS reserves the right to restrict specific pesticides and/or application practices.
- 4.8. ~~The use of neonicotinoid pesticides on BCPOS agricultural properties is restricted to tenant farmers who operate under a Shareholder Agreement with Western Sugar Cooperative as of January 1, 2021. These tenant farmers are allowed to plant sugar beet seed with neonicotinoid seed coatings. Approval from Boulder County for any other neonicotinoid pesticide use on BCPOS agricultural properties will only be granted on a case-by-case basis and under exceptional conditions such as extreme pest pressure or when other pesticides would be ineffective or have a disproportional environmental impact relative to neonicotinoid pesticides.~~

The use of neonicotinoid pesticides will be restricted within the framework of the BCPOS Strategic Integrated Pest Management Program. Approval from BCPOS staff for the use of neonicotinoid pesticides by tenant farmers on BCPOS agricultural properties will be granted on a case-by-case basis under limited conditions. It will be subject to an evaluation of

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environmental and economic sustainability considerations, including but not limited to, when justified by **extreme** pest pressure or when other pesticides would be ineffective or have a disproportional environmental impact relative to neonicotinoid pesticides.

Tenant farmers who operate under a **current** Shareholder Agreement with Western Sugar Cooperative are excluded from the above-mentioned approval process and are allowed to plant the sugar beet seed with neonicotinoid seed coatings required pursuant to their shareholder agreement.”

- 4.9. Agricultural tenants shall be provided and comply with clear expectations of Strategic Integrated Pest Management goals.

Soil Health Initiative

- 4.10. Boulder County recognizes the value and function of soil ecosystem services to both agricultural production and the local and global environment. Boulder County, in collaboration with representatives from the University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant farmers, and other agricultural organizations, shall develop a soil health program for use on BCPOS agricultural properties incorporating the principles of soil health and providing recommendations for site-specific practices on leased BCPOS agricultural properties.
- 4.11. Boulder County prioritizes the arrest and reversal of soil degradation and the improvement of soil quality on BCPOS agricultural properties. Boulder County shall implement monitoring programs to track soil quality indicators. Data resulting from the monitoring programs shall be made available when requested.
- 4.12. Boulder County shall encourage the exploration of a variety of practices by BCPOS tenants to address soil fertility ~~concerns~~.
- 4.13. Boulder County shall assure compliance with all federal, state and local health department requirements, as well as implement all BCPOS requirements for the use of biosolids on Boulder County lands.

Livestock management

- 4.14. Livestock operations are permitted on properties suitable for livestock.
- 4.15. Livestock operations are recognized as a valuable tool in management programs, such as Strategic Integrated Pest Management and Soil Health. Livestock operations shall be encouraged both as a rotational phase in diversified operations and as a primary agricultural operation on appropriate BCPOS agricultural properties.
- 4.16. Boulder County shall collaborate with tenants, federal, state, local agencies, and others to develop physical infrastructure to support viable livestock operations on BCPOS agricultural properties.

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- 4.17. Animal Feeding Operations (AFOs), as defined by the EPA, are permitted on BCPOS property on agricultural properties only with specific permission
<https://www.epa.gov/npdes/animal-feeding-operations-afos>
- 4.18. Animal Feeding Operations (AFOs) shall be sited according to federal, state and county laws, in appropriate areas with consideration given for appropriate buffers for natural resources and neighbors.
- 4.19. AFOs shall employ Best Management Practices for manure management to maximize the use and preservation of manure nutrients in local crop production and shall minimize the release of environmental air and water emissions.

Prairie Dogs

- 4.20. All BCPOS cropland shall be defined as a No Prairie Dog Area as outlined in the Prairie Dog Element of the Grassland Management Policy. <https://assets.bouldercounty.org/wp-content/uploads/2017/04/prairie-dog-habitat-element-grassland-policy.pdf>
- 4.21. Boulder County shall prioritize preventing prairie dog encroachment onto BCPOS cropland. Lethal control of prairie dogs will be in accordance with the Prairie Dog Element of the Grassland Management Plan.
- 4.22. After training and with approval from BCPOS, lease holders may perform lethal control of prairie dogs on their leased cropland.

Organic Production

- 4.23. Boulder County shall prioritize opportunities for organic operations on BCPOS land and continue expansion of certified organic agriculture on open space land with the goal of maintaining a growth rate in acres leased for organic agriculture that meets or exceeds the national growth rate of organic acres in each year, if market forces allow. Boulder County will work with producers, the natural foods industry, and other stakeholders to explore and expand market opportunities.

5. Education and Outreach

Sustainability of agricultural open space is not limited to agricultural management. Communication with the public allows for a greater understanding of local food systems and connects the community to the landscape and to those who produce the food, fuel, and fiber they encounter every day.

The Vision of the Agricultural and Water Resources Division is “Thriving agricultural lands for generations to come.” Part of ensuring the long-term viability of local agriculture is stewarding not just the land but the people who will care for it.

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General

- 5.1. Staff shall develop methods for creating public awareness of the role of public open space in crop and local food production.
- 5.2. BCPOS shall develop educational material demonstrating the value and importance of livestock and grazing for the agricultural economy of Boulder County and as a cropland management tool.
- 5.3. Boulder County works with a variety of organizations including CSU Extension, to support educational programs that promote farming as a career, enrich farming practices, and encourage engagement with farmers.

Generations to Come

- 5.4. Boulder County recognizes the importance of developing farmers interested in many different forms of farming. Boulder County shall continue to support beginning farmers through youth in agriculture programs, working with CSU Extension, and providing competitive lease rates. Boulder County shall develop programs to foster the development of beginning farmers on Boulder County open space.
- 5.5. Boulder County shall develop and maintain a program to help beginning farmers to develop skills and practices while sharing land management responsibilities with other farmers.
- 5.6. Boulder County recognizes the contributions that multi-generational farmers have made to the quality of life in Boulder County. Boulder County will continue to work with these farmers to help ensure the economic viability of these operations and to support these families as they continue to employ sustainable farming practices.

6. Associated Resource Values

Agriculture intersects with a diverse array of activities and resources. The following guidelines set expectations for the interaction of BCPOS agricultural properties and tenants with commonly encountered situations.

Water

- 6.1. Boulder County shall fully use county-owned water in an effective and efficient manner. BCPOS and tenant farmers will review and abide by the BCPOS Water Policy <https://assets.bouldercounty.org/wp-content/uploads/2017/03/water-policy.pdf>

Cultural Resources

- 6.2. Standard operating procedures shall be developed to protect cultural resources on cropland.

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Recreation

- 6.3. Trails shall be developed on agricultural land only with appropriate considerations for agricultural value. Trails shall be:
 - 6.3.1. Designed to minimize loss of cropland, irrigation interference, and impact on agricultural operations.
 - 6.3.2. Sited to reduce the possibility of weed transfer to ditches or fields.
 - 6.3.3. Closed to the public if/when pesticide application is in progress.

Natural Resources

- 6.4. Boulder County and its agricultural tenants shall abide by all federal and state laws governing wetlands, wildlife, and plant species.
- 6.5. The County Comprehensive Plan Critical Wildlife habitats shall be considered a priority for protection when leases and agricultural operating plans are developed.
- 6.6. For any wildlife designated as State Threatened or Species of County or State Concern, BCPOS staff shall work with tenants to develop best management practices and site-specific plans to manage them.
- 6.7. If a new occurrence of a protected species occurs on BCPOS land, no additional disturbance within the recommended US Fish and Wildlife Service or Colorado Department of Parks and Wildlife buffer shall occur. Existing operations can continue except where prohibited by these agencies.
- 6.8. To the extent possible, BCPOS shall preserve wildlife corridors through agricultural land:
 - 6.8.1 Highest priority corridors to preserve are natural streams – BCPOS shall develop Best Management Practices (BMPs) and appropriate site-specific buffers to protect these areas.
 - 6.8.2 Ditches often serve as corridors and, to the extent possible, these riparian-like habitats shall be maintained.
- 6.9. Boulder County shall preserve wetlands and Comprehensive Plan-designated Critical Wildlife Habitat by developing site-specific best management practices and buffers to protect these areas.
- 6.10. Where feasible, Boulder County shall enhance wildlife habitat on agricultural properties (drainages, grassed waterways, corners of pivot systems, and non-productive land).
- 6.11. Boulder County recognizes the importance of pollinators to agricultural production and functional ecosystems. Boulder County shall encourage cooperation and facilitate dialog among tenant farmers and other parties interested in the conservation of pollinator

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populations. Boulder County shall consider the impacts on pollinator populations in the design of a Strategic Integrated Pest Management program.

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Appendix

The history and amendments to the Cropland Policy can be found here:

<https://www.bouldercounty.org/open-space/management/cropland-policy/>

2021 Cropland Policy Update

Public Comments received by 11-22-21

There were 7 comments received online. There were two comments received via email that are appended to the end.

Comment #7

Boulder
Steven Todd

Nov 23, 2021

Other Comments:

From Steven Todd: For someone who would have actively engaged in this discussion had I known about it, it is ironic that I'm getting the last word here! Or maybe not...

My first comment is that this is way too important an issue for it to have flown under the radar. I'm disappointed in your process for this public issue and request that you postpone your decision. I am drafting an op-ed for the Daily Camera with some of the points that follow and will encourage people to send you all direct emails in hopes that you will get a much fuller cross section of opinion from our community.

I have read the comments and watched the 6+ hour video and here are my observations: The farmers' contingent was obviously well informed and well organized. For example, 79 of the last 160 comments posted all used the same phrase: "All of Boulder County's longtime farmers are committed to sustainable agriculture." Is that public comment or corporate talking points?

The interesting thing to me is that I don't think this is really much about GMOs at all. There are reasonable points on both sides of that issue. But this is about open space. Boulder was the first city in the country to tax itself to buy up open space for recreation and "breathing room" and that says a lot about the uniqueness of our community. And yes, some of that is less scenic and it's highest and best use is agriculture. But you need to think bigger. Why not use this opportunity to model and demonstrate the immense value and important need for regenerative farming? This would be a purpose worthy of our commitment and our tax dollars. I heard all the arguments about feasibility of that, and it would by no means be easy. But it should be done. The inability of 9 farm tenants to accept the new policy over a 5 year period is way too small a weight on the balance scale, compared to the ideals and environmental commitments of 330,000 county residents. This is an opportunity to fight climate change, spread the word about healthy soil and demonstrate for the nation and the world what needs to be and can be done. We'll have your back on that!

Mary Mulry

LONGMONT

Nov 22, 2021

Comment #6

Section 1 Comments:

Define "sustainable practices" in 1.4

Section 1.8 needs to be rewritten. We have not met the goal of 20% certified organic and in transition by 2020. Transition acres have been inflated due to lack of definition of "in transition." Certified organic acres must have an organic certificate and transition acres must have a 3 yr plan overseen by a certifier so that the land is certified organic after 3 years. A large proportion of our "transition" acreage never became certified. We need to grow certified acres by the growth rate of organic "demand" not by US growth in acres. There has always been a huge gap between demand and supply of US acres. There needs to be new goals for organic acres set with a plan for transition associated with parcels that need to be managed as certified organic---20% by ?; 30% by x, 50% by x year. We must have a continuing conversion of the acreage to organic.

I ask the County Staff to cease stating that we met the 2020 goal. It was not met and needs to stay in this policy rather than removed.

Section 4 Comments:

Section 4.8. Neonic pesticides should be completely phased out at the end of 2021. There should not be a case-by-case basis for use in the future. These toxic pesticides are persistent and harmful to pollinators and there is no reason to use them now or in the future in Boulder County.

Sugarbeet growers should be encouraged to grow sugar beets on nonpublic land in Boulder County or grown in adjoining counties rather than make an exception for sugar beets for neonics. The number of acres where sugarbeets are grown on public lands is very small and these leases should not be renewed. The sugar beet contracts are not the responsibility of the Boulder County citizens. These contracts were entered in decades ago and the contracts are not even transparent to the County. Therefore, the sugar beet entanglement by the County should be ended and the responsibility transferred to the shareholders rather than the Boulder County public.

Section 6 Comments:

Section 6.1.1. Any parcels using GE technology must have a full Integrated Pest Management Plan in place before any GE crop is allowed to be grown.

Section 6.1.2. All pest control (including the use of glyphosate) must be included in the evaluated Pest Control. Risk of pesticide use must be updated with the latest science. For example, glyphosate is now clearly a detriment to the human microbiome as well as the soil microbiome. These issues must be considered when evaluating the risk of using any GE technology and its over-reliance on glyphosate for weed control. Bayer has withdrawn glyphosate from the consumer market due to the potential liability for its use. This is serious issue for the County to consider. The prior Commissioners directed that alternative methods of weed control be researched.

Other Comments:

Section 9. Prairie dog control methods must not be at cross purposes with managing lands for certified organic production.

on four main issues: do not agree with allowing GE crops on Open Space. However, if allowed, their risk, impact and total pesticide usage must be evaluated with a balanced, transparent set of criteria.

Eliminate the use of neonics on all county lands with no exceptions or considerations in the future. In addition, each parcel should be evaluated with an appropriate soil analysis to assess the neonic contamination of soils. Methods to rehabilitate contaminated soils should be investigated and pursued.

I support the incorporation of soil health plans on every parcel. Measurement of soil health must be clearly defined and be scientifically based. The measurement of "soil health" should trigger actions to improve soil health over time. This data needs to be available and transparent to the public.

Other terms in this policy like "transition to organic", Integrated Pest Management (IPM) and other terms must be clearly defined and applied to all applicable parcels. My suggestion is to add a definitions section to the Cropland Policy.

Piecemeal updates of the policy like this are confusing and look chaotic to the public. It has been 10 years since the policy was written. The Commissioners should be supportive of a process to update and rewrite the entire policy with a clear framework based on environmental sustainability. Even with these changes, the policy will not be balanced, science-based, clear and easy to understand.

Helene Orr

Comment #5

Denver

Nov 22, 2021

Other Comments:

Stop with the genetically engineered bull—-. Will stop raping the earth?

Wynn Martens

Comment #4

Boulder

Nov 18, 2021

Section 3 Comments:

November 18, 2021

Commissioners,

Thank you for the opportunity to comment on future cropland policy.

As a member of the Health Soils Working Group at the Community Foundation of Boulder County, I have closely followed the county's ban on GMO's.

While our working group enthusiastically supports the removal of GMOs and related chemical use from county lands, we have come to understand that the ban was well intentioned but is unenforceable. While certainly moving the management of county lands in the right direction, the ban's dependence on

traditional farmers' shifting their practices in fundamental and philosophical ways made it unfeasible from the get go. Easy to say in hindsight. I commend the county staff and previous commissions for their vision and willingness to push boundaries.

A shift from traditional farming to regenerative practices is more than just implementation on the land. It is a change that contradicts and tests family history, social and political norms, and relationships that span generations. I've heard personally from regenerative farmers and ranchers about their being unsupported and mocked, isolated in their communities, and pressured by peers.

The best news is that there is a new crop of farmers and ranchers that are eager to regeneratively manage land. And, the benefits of this management approach positively impact all of society, not just the landowners and growers.

I'd ask that Boulder County's cropland policy updates include specific language for all future leases on county land that details what practices are allowed/encouraged/required as well as those that are prohibited. I'd also suggest that the lease language leaves space for experimentation and creativity as these farmers and ranchers want and need flexibility as they evolve their practices. With this new lease language in hand, our county lands will transition and attract the farmers and ranchers who already have the mindset, skill set, social network, interest and passion for sustainable, resilient, regenerative land management.

I practice regenerative grazing on my own land for three primary reasons - habitat, water, and carbon. As you likely know, healthy soil sequesters carbon from the atmosphere, a process that could play a significant role as we realize the implications of a shifting climate. Carbon also holds water in the soil and keeps it in our watershed. Rather than losing moisture through runoff and evaporation, healthy soil captures and stores it, making the land more resilient to drought. Further, regenerative practices create and support diversity in the landscape, the more diverse a plant population, the more resilient it is to pests and drought. And, wildlife depends on these diverse landscapes.

Thank you for your consideration and effort around this critical work. These lands are a resource that can make the community more resilient, sustainable, and productive.

Respectfully submitted,

Ryan and Wynn Martens
Healthy Soils Group at the Community Foundation of Boulder County

Section 4 Comments:

My comments from above in Section 3 apply equally to Section 4 - as I don't think you should consider soil health initiatives without considering the impacts of GMO use on the land. Same with prairie dog management, many of these topics dove tail around each other and looking at them independently instead of as a system is ineffective and inefficient.

Boulder

Nov 17, 2021

Section 1 Comments:

I support strong and more direct wording about the county's sustainability vision and values. The County should emphasize regenerative practices and the promotion of healthy soils

Section 2 Comments:

Bid Process and Lease Administration

2.2. Most leases shall be bid competitively and the selection criteria shall be publicly available. In some cases, properties are not competitively bid in order to respect a specific purchase agreement, or to recognize the efficiencies gained by combining adjacent parcels for improved land management including irrigation management.

2.3. Leases are negotiated based on a standard form at market rates, but reflect conditions at each property, the type of operation proposed, and the goals of sustainable agriculture as stated in the Cropland Policy.

2.4. Parks & Open Space uses both cash rent and crop share methods to tailor leases to the character of the land and the type of operation.

2.5. Leases are awarded to farmers who employ sustainable practices and who demonstrate a commitment to investing in innovative practices through education and skills development.

2.6. Boulder County supports creating lease terms that encourage tenant investment in infrastructure to enhance productivity.

*** could "sustainable practices" be more explicit?

Section 3 Comments:

Currently Approved GE Crop Varieties:

Glyphosate-resistant crops are currently planted on BCPOS agricultural properties.

The glyphosate-resistant crops currently permitted on BCPOS agricultural properties are corn and sugar beets.

Protocols for the planting and use of glyphosate-resistant corn and sugar beets include a requirement for tenant farmers to annually rotate glyphosate-resistant varieties with nonglyphosate-resistant varieties.

Boulder County Parks & Open Space Cropland Policy

In the event that annual rotations are not possible, a two-year consecutive planting of glyphosateresistant crop varieties must be followed by a two-year rotation of non-glyphosate-resistant crop varieties.

Bt corn is also approved for planting on BCPOS agricultural properties.

Protocols for the planting and use of Bt corn include pesticide resistance management.

If in the future Boulder County approves any glyphosate-resistant wheat variety, it shall not be allowed to be planted in a rotation with other glyphosate-resistant crop varieties.

***Please strike the language, "If in the future Boulder County approves..." to forbid future approval.

Section 4 Comments:

n: The use of neonicotinoid pesticides on BCPOS agricultural properties is restricted to tenant farmers who operate under a Shareholder Agreement with Western Sugar Cooperative as of January 1, 2021. These tenant farmers are allowed to plant sugar beet seed with neonicotinoid seed coatings. Approval from Boulder County for any other neonicotinoid pesticide use on BCPOS agricultural properties will only be granted on a case-by-case basis and under exceptional conditions such as extreme pest pressure or when other pesticides would be ineffective or have a disproportional environmental impact relative to neonicotinoid pesticides.

***All new leases are written to prohibit the use of neonicotinoids and to require regenerative practices and demonstrated carbon farming.

Section 5 Comments:

5.2. Boulder County Parks & Open Space shall develop educational material demonstrating the value and importance of livestock and grazing for the agricultural economy of Boulder County and as a cropland management tool.

***Please emphasize the benefit of Management Intensive Grazing to reduce the use of herbicides and fossil fuels - and to support young farmers in their efforts to earn money and gain experience.

Boulder County recognizes the importance of developing farmers interested in many different forms of farming. Boulder County shall continue to support beginning farmers through youth in agriculture programs, working with Boulder County Extension, and providing competitive lease rates. Boulder County shall develop programs to foster the development of beginning farmers on Boulder County Open Space.

5.5. Boulder County shall develop and maintain a program to help beginning farmers to develop skills and practices while sharing land management responsibilities with other farmers.

Please add language that Boulder County will fund training and equipment to support regenerative ag practices to restore and improve our land, help retain water, reduce run-off and eliminate pesticides and herbicides from our county lands.

Section 6 Comments:

"Highest priority corridors to preserve are natural streams – POS shall develop BMPs and appropriate site specific, buffers to protect these areas."

***I support the addition of language that addresses the damage of pesticide run-off.

Other Comments:

Boulder County has the opportunity to make our future residents proud, to address the climate crisis through this document and to be an example for other communities. As Daniel Burnham said, "Make big plans; aim high in hope and work. . ."

virginia jordan

Comment #2

Longmont

Nov 16, 2021

Other Comments:

Please please don't allow any more pesticides and GMO seeds of any kind!

We have a chance as a County to become a true regenerative land based model. Our local young farmers are smart, innovative and committed to a true regenerative approach. Let's step up!

shana parker

Comment #1

Boulder

Nov 15, 2021

Section 1 Comments:

Thank you for moving toward a more sustainable and regenerative crop policy.

For this latest iteration please include specific language for all future leases on county land that details what practices are allowed/encouraged/required as well as those that are prohibited. I'd also suggest that the lease language leave space for experimentation and creativity as these young farmers and ranchers want and need flexibility as they evolve their practices.

Please keep Boulder a leader in sustainability- this will require forethought and regulation.

From: [jane gmail](#)
To: [Boulder County POS Info](#)
Cc: [Schnarr, Cassandra](#)
Subject: [EXTERNAL] POSAC Comment/Question
Date: Monday, November 22, 2021 7:37:25 PM

Comments submitted re: Proposed Cropland Policy changes:

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I was the assigned BOCC staff person for the GMO Technical Advisory Committee that developed the original policy for which GE crops could be grown under which protocols on Boulder County Open Space leased to tenant farmers, 2001-2003. I later was appointed by the Commissioners to the Cropland Policy Advisory Committee, and I served as the first director of the Farmers Alliance for Integrated Resources (FAIR) as they developed their positions re: sustainable farming using agricultural best practices on Boulder County's farmland.

Given that extensive background, I have developed a strong and credible background about the science, public policy, and political issues surrounding genetically engineered crops.

I **support** the Nov. 8 version of the staff recommended changes to the Cropland Policy re: GE crops, including removal of the 5-year renewal of existing crops, and removal of the 3-year waiting period in Boulder County after a GE crop variety is approved by the Federal Government.

Regarding neonics, I support the revised language with the following exception:

* Requiring the burden of new (not current) farmers to have to meet the justification of *extreme* pest pressure before they can use neonics is unreasonable. Farmers, whether they have current agreements with Western Sugar Cooperative or not, should not have to wait until their crops are threatened by severe pest damage, in order to use this technology.

Thank you for your consideration of farmer best practices, to keep our county open space lands that we support with tax dollars, in production of crops that use well-proven technology relative to safety, productivity, and sustainability.

Jane Uitti
(303) 818-8722

Sent from my iPad

Comments on Draft from FAIR (Farmers Alliance for Integrated Resources)

Cropland Policy Vision

Boulder County Parks & Open Space's vision is to be a national leader in sustainable agriculture.

Purpose Statement:

The policy directs Boulder County Parks & Open Space (BCPOS) management of cropland on agricultural properties owned by the public and leased to tenant farmers. The policy supports the sustainable stewardship of the lands by the department's tenant partners who reflect a diversity of agricultural producer systems. The policy frames and defines the BCPOS programs for conducting this work.

Scope:

The policy applies to BCPOS and the tenant farmers managing croplands on county open space ~~for the years 2022—2027~~. *Cropland Policy can be reopened/amended at any time by BOCC. There is no need to put an artificial timeframe on it.*

Agricultural properties and operations covered by this policy include dryland and irrigated crop production acres, irrigated pasture and irrigated forage acres, and infrastructure supporting these operations. Dryland pasture for grazing is covered under the Grassland Management Policy.

Accountability:

The responsibility for compliance with the policy lies with both BCPOS staff, particularly the Agricultural and Water Resources Division which administers and oversees lease agreements, and tenant farmers.

Review of the policy and program will focus on the achievement of outcomes set out in the policy.

Sustainability:

Sustainability is one of Boulder County's Guiding Values. The county defines sustainability as the "use, development and protection of resources in a way that enables Boulder County residents to meet their needs and maintain a high quality of life, without compromising the ability of future residents to do the same."

Boulder County values balancing a strong economy, protection of the environment and social equity and is committed to environmental, social, and economic sustainability and to building partnerships to help make the broader community more sustainable.

The Cropland Policy represents the practical application of sustainability to Boulder County Parks & Open Space agricultural properties, with a particular emphasis on considering longterm implications of agricultural management choices.

Cropland Policy Advisory Group:

The original Cropland Policy was developed in 2011 by an advisory group comprised of nine citizens representing a variety of agricultural and public stakeholder perspectives. A list of revisions and links to both the history of the Cropland Policy and former versions of the Policy can be found in the Appendix.

Boulder County Parks & Open Space Cropland Policy

1. Program Priorities

Fundamental to the administration of the agricultural open space program is an understanding of the priorities and values that guide the program. The following principles set forth both statements of priorities and ways those will be applied by BCPOS.

General

- 1.1. Boulder County shall promote and encourage diversity in cropping systems, crops, and practices, to balance risks associated with factors beyond farmers' control, such as weather events, price fluctuations, federal price supports, etc.
- 1.2. Boulder County supports operators willing to explore and adopt new farming practices and new markets that embody the Department's and the community's long-term goals while also practicing sound management.
- 1.3. Boulder County supports self-sufficient and economically viable agricultural operations and recognizes they are essential to the overall viability of the agricultural program.
- 1.4. Boulder County shall administer a program to support and encourage small acreage farms on Boulder County Parks & Open Space land
- 1.5. Boulder County shall adopt Good Neighbor Guidelines. All agricultural tenants shall be provided, and comply with, the expectations of the Good Neighbor Guidelines.
- 1.6. Boulder County Parks & Open Space shall establish Good Neighbor Guidelines as a means to prevent and address concerns among tenants and between tenants and the larger Boulder County community. Boulder County shall share information on the policies for farming on Open Space and shall act as a communication hub for addressing agricultural management concerns on BCPOS properties of both tenants and the community.
- 1.7. Boulder County shall work with County Extension and other organizations to foster communication and coordination among growers to proactively address co-existence issues such as cross-pollination and chemical trespass.
- 1.8. Food safety regulations for producers on Boulder County cropland are enforced through governmental entities, which include but are not limited to: Boulder County Health

Department, Colorado Department of Public Health and the Environment, and Federal regulators. Farmers must abide by these regulations.

Markets

- 1.9. Boulder County will prioritize the expansion of food crops on Open Space land for local markets.
- 1.10. Boulder County works with tenant farmers, resource providers, local businesses, and organizations to encourage development of necessary infrastructure and relationships to support existing markets and explore new markets for agricultural products produced on BCPOS properties.
- 1.11. Boulder County shall work with local and regional economic development, business and community organizations to integrate agricultural economic development into overall community and economic development strategies and to promote strategies to strengthen and expand existing farm and agri-businesses and attract activities complementary to agriculture to Boulder County.
- 1.12. Boulder County shall work collaboratively with farmers' markets and other marketing opportunities to support the use of open space products in providing local foods.
- 1.13. Boulder County supports the development of direct-to-market operations such as on-site sales and shall consider facilities and structures, subject to land use code, necessary for such operations as described in the Administrative Section of the Cropland Policy.

2. Program Administration

The success of the department's cropland agriculture program depends on a clear communication with BCPOS staff, current and prospective tenants, and the public about the manner in which the program is administered. The bid process and lease agreements are the foundation of the agriculture program and informed by the following set of guidelines.

General

- 2.1. Revenue obtained through the lease of agriculturally designated land should first be used to fund the Agricultural Resources Program and the capital and maintenance activities of the Program.

Bid Process and Lease Administration

- 2.2. Most leases shall be bid competitively and the selection criteria shall be publicly available. In some cases, properties are not competitively bid in order to respect a specific purchase agreement, or to recognize the efficiencies gained by combining adjacent parcels for improved land management including irrigation management.

- 2.3. Leases are negotiated based on a standard form at market rates, but reflect conditions at each property, the type of operation proposed, and the goals of sustainable agriculture as stated in the Cropland Policy.
- 2.4. Parks & Open Space uses both cash rent and crop share methods to tailor leases to the character of the land and the type of operation.
- 2.5. Leases are awarded to farmers who employ **environmentally and economically** sustainable practices and who demonstrate a commitment to investing in innovative practices through education and skills development.
- 2.6. Boulder County supports creating lease terms that encourage tenant investment in infrastructure to enhance productivity.
- 2.7. Boulder County Parks & Open Space supports farmer succession planning. Boulder County considers succession plans as one of many factors evaluated in the lease bid process.
- 2.8. Boulder County reviews economic viability of agricultural operations on BCPOS land when assessing lease bids. The Agricultural Resources Division shall work with tenant farmers to improve productivity when and where possible.
- 2.9. Boulder County recognizes the value of forage production to the local livestock industry and will prioritize forage production operations in the lease bid process for certain appropriate BCPOS agricultural properties
- 2.10. Lessees seeking USDA organic certification shall receive a 50% reduction in rent during the three-year transition period.
- 2.11. Lease applications and lease consideration shall be available to individuals, non- profits, or community groups who wish to lease an agricultural parcel for the purpose of rebuilding soil and ecosystem health of the parcel, transitioning the parcel to organic certification and production, or farming the parcel for public and community benefit.
- 2.12. Boulder County recognizes the importance of exploration and testing of farming practices by tenant farmers. Boulder County shall consider adjustments to property lease rates for prospective tenant bids that incorporate agricultural testing and experimentation. For property leases with adjusted lease rates due to agricultural testing and experimentation, Boulder County will provide the public with resulting raw data and reports. Formal research and biological inventories on BCPOS properties are possible through a permit process. Permit applications and research reports are available on the BCPOS website.

- 2.13. At the beginning or at the renewal of a lease, lease terms may be modified to protect natural resources. If during a lease term, measures, approved by Boulder County, to protect a natural resource impact the terms of the lease, Boulder County shall compensate for the losses at the tenants share of an average crop insurance claim.

3. Operations on Boulder County Parks & Open Space Agricultural Properties

Agricultural operations are complex enterprises combining science, art, business, and lifestyle. The following guidelines set expectations of communication and planning, and address property infrastructure and genetic technology.

General

- 3.1. Structures, facilities, and special uses for agricultural properties may be allowed, but must first be approved by POS, allowed under County Land Use Code, and not remove cropland from productive use. Such structures, facilities, and uses shall be of a scale such that they do not impact the predominate nature of Open Space as open land. POS approval shall consider neighborhood compatibility and other potential impacts.
- 3.2. Tenants shall operate in accordance with Soil and Water Conservation Plans approved by the Natural Resources Conservation Service.
- 3.3. Tenants shall operate in accordance with operating plans developed in collaboration with Parks & Open Space.
- 3.4. Boulder County shall maintain relationships with partner agencies, organizations, and consultants that provide guidance to tenant farmers and facilitate communication between those organizations and tenant farmers. Boulder County shall encourage the exploration of a variety of practices to address management concerns.
- 3.5. Boulder County maintains current infrastructure and invests strategically in capital improvement projects to attract a larger pool of agricultural producers.

Genetically Engineered Crops

- 3.6. Boulder County will only allow the planting of GE crops on BCPOS cropland when the likely, demonstrable benefits from the planting of the GE crop will surpass the costs and credibly verified scientifically-documented risks associated with adoption of the GE technology.

Approval Process:

- 3.7. Boulder County shall only consider GE crop varieties approved for use in the United States by federal agencies.
- 3.8. ~~There shall be a waiting period of at least three years between approval for use in the United States by federal agencies of a GE crop variety and that GE crop variety being approved for planting on BCPOS agricultural properties.~~ Federally-approved GE varieties

already go through years of research and trials before farmers are allowed to use them. It does not make sense for Boulder County to create an additional waiting period for crops that are safe and have documented sustainability benefits.

3.9. Application evaluations shall be made by POS staff in consultation with representatives from The University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant farmers, and other agricultural organizations.

3.10. Boulder County shall consider genetically engineered trait claims and specific potential impacts of a GE crop in assessing any application for the planting of a GE crop on BCPOS agricultural properties. Any or all of the following specific potential impacts are to be used in the evaluation. The specific potential impacts examined for each GE crop application shall be determined by alignment of the considered impact with the trait claim made by the manufacturer.

3.10.1. Integrated Pest Management and Resistance Management: The GE technology shall be compatible with the BCPOS Strategic Integrated Pest Management Program.

3.10.2. Pest Control: The GE cultivar shall allow farmers to ~~significantly~~ reduce the environmental impacts of pesticides through a shift to reduced-risk pesticides and/or a reduction in pesticide use on a per acre basis. *Vague and unmeasurable.*

3.10.3. Conservation: The GE technology shall be compatible with BCPOS Soil Health Program and the BCPOS Water Policy.

3.10.4. Yield and Quality Management: The GE technology shall ~~substantially~~ increase crop yield, crop quality, and/or profitability compared to levels in Boulder County at the time of assessment. *Vague and unmeasurable.*

~~3.10.5. Human Nutrition: The GE technology shall substantially enhance the nutritional quality and content of the harvested crop.~~ *Not all GE crops are designed to be more nutritious than non-GE varieties – often the environmental or economic sustainability benefits are the reason farmers choose them. If something regarding nutrition is really needed, we would suggest, “The GE technology shall not decrease the nutritional quality and content of the harvested crop.”*

~~3.10.6. Allergens and Toxicity: The GE technology shall substantially reduce the levels of known or expected human allergens or toxins compared to standard varieties of the crop.~~ *Same as above – this is not typically a reason farmers*

choose GE crops. If needed, replacement language could be, “The GE technology shall not increase the levels of known or expected human allergens or toxins compared to standard varieties of the crop.

Use of BCPOS-Approved GE Crop Varieties:

3.11. The terms and restrictions imposed as a condition of planting BCPOS-approved GE crop should not abridge the ability of tenants to choose the crop varieties most suited to their agricultural operation, or otherwise limit management discretion.

GE Crop Planting and Use Protocol:

3.12. Boulder County shall develop a protocol for the use of each approved GE crop variety on BCPOS agricultural properties. Protocols must address the following:

Gene Flow: Practices to minimize opportunities for the genetic material of the GE crop variety to move into the local non- GE crop population.

Notification: Notification of the public of the approval of the GE crop variety and communication with property neighbors.

Resistance management: Practices to minimize the development of pesticide resistance or GE crop varieties with pesticide-related GE traits

GE Crop Monitoring: Boulder County shall develop a monitoring program for each approved GE crop variety in cooperation with tenant farmers, CSU Extension, and other partner agencies. The monitoring program will track indicators associated with the expected benefits of the GE crop variety. The monitoring program will additionally document any adverse impacts of the GE crop variety.

Five Year Assessment:

~~3.13. Approval of any GE crop variety shall be granted for five years at a time. At the end of the five year approval period Boulder County shall evaluate the data collected in the monitoring program. The evaluation of the GE crop variety will include assessments by BCPOS staff of the quality and consistency of the GE benefits and any adverse impacts. Approval of the GE crop variety can be granted for an additional five year period if the assessment by Boulder County is favorable.~~

~~Boulder County shall evaluate the data collected in the GE monitoring program annually. The evaluation of the GE crop varieties will include assessments by BCPOS agriculture staff of the quality and consistency of the GE benefits and any adverse impacts. Approval of the GE crop variety will be continued if the assessment by Boulder County is favorable. After 5 years of continuous approval annual assessments are no longer required.~~

Rolling annual assessments create ongoing accountability and allow for a more organic approval/reconsideration process, as compared to a big (and potentially contentious) “evaluation” every five years. However, once a crop has consistently been found to meet BCPOS standards, the need for continued special evaluation should be set aside.

Currently Approved GE Crop Varieties:

Glyphosate-resistant crops are currently planted on BCPOS agricultural properties.

The glyphosate-resistant crops currently permitted on BCPOS agricultural properties are corn and sugar beets.

Protocols for the planting ~~and use of~~ *(just “planting” is simpler and more accurate)* glyphosate-resistant corn and sugar beets include a requirement for tenant farmers to annually rotate glyphosate-resistant varieties with non-glyphosate-resistant varieties. In the event that annual rotations are not possible, a two-year consecutive planting of glyphosate-resistant crop varieties must be followed by a two-year rotation of non-glyphosate-resistant crop varieties. *Makes sense to combine this into one paragraph, since it’s how it appears in the original CLP.*

Bt corn is also approved for planting on BCPOS agricultural properties.

Protocols for the planting and use of Bt corn include pesticide resistance management.

~~If in the future Boulder County approves any glyphosate-resistant wheat variety, it shall not be allowed to be planted in a rotation with other glyphosate-resistant crop varieties.~~ *This does not make sense and should not be included. Future glyphosate-resistant crops should naturally follow the same protocols as RR corn and sugarbeets, which do not prohibit which RR crop is used – just that the 2 out of every 4 years standard must apply.*

4. Management and Programs

BCPOS prioritizes sustainable management of open space properties. To that end, programs are developed to be resources for tenant farmers and to ensure that management aligns with community goals and values. The following policies establish two major programs, Strategic Integrated Pest Management and Soil Health Initiative, as the foundation for addressing long-term conservation concerns. The management of livestock on cropland acres, prairies dogs, and organic production are also included in this section.

Strategic Integrated Pest Management

4.1. Boulder County recognizes the importance of pest management to viable agricultural operations.

4.2. Boulder County, ~~in collaboration with its tenant farmers~~, shall develop a Strategic Integrated Pest Management Program for use on BCPOS Agricultural properties incorporating the principles of Integrated Pest Management. The Integrated Pest Management Program will be Strategic by incorporating a long-term, multi-year approach to pest management decisions and by providing recommendations for site-specific practices on leased BCPOS agricultural properties.

- 4.3. Boulder County shall work collaboratively with producers, technical advisors and researchers to determine the best and most effective tools for managing pests on Open Space Agricultural properties.
- 4.4. Boulder County recognizes that Strategic Integrated Pest Management principles include the use of diverse methods of pest control and minimizing the application of pesticides. Pesticide use on BCPOS agricultural properties by tenant farmers is to be kept to the minimum necessary for effective pest control and in compliance with the Strategic Integrated Pest Management Program. Boulder County shall implement monitoring programs to track pesticide usage on BCPOS Agricultural properties.
- 4.5. Any pesticide application on Open Space Agricultural Lands shall be completed in compliance with the Agricultural Division's application protocols.
- 4.6. Signage shall be posted on any fee-owned county properties (and/or arrangement with that person) along trails where pesticide spraying will take place adjacent to trails. Signage will be posted prior to pesticide spraying. The signage will include the spray date (or range of dates), type of pesticide being sprayed, and trail closures if necessary.
- 4.7. Boulder County allows tenants of BCPOS agricultural properties to use any legal method of pest control that is in compliance with the Strategic Integrated Pest Management Program and other Boulder County regulations and policies. Boulder County Parks & Open Space reserves the right to restrict specific pesticides and/or application practices
- 4.8. ~~Written to align with BOCC direction: The use of neonicotinoid pesticides on BCPOS agricultural properties is restricted to tenant farmers who operate under a Shareholder Agreement with Western Sugar Cooperative as of January 1, 2021. These tenant farmers are allowed to plant sugar beet seed with neonicotinoid seed coatings. Approval from Boulder County for any other neonicotinoid pesticide use on BCPOS agricultural properties will only be granted on a case-by-case basis and under exceptional conditions such as extreme pest pressure or when other pesticides would be ineffective or have a disproportional environmental impact relative to neonicotinoid pesticides.~~

New suggested language:

The use of neonicotinoid pesticides will be considered within the framework of the Strategic Integrated Pest Management. Approval from BCPOS staff for the use of neonicotinoid pesticides by tenant farmers on BCPOS agricultural properties will be granted on a case-by-case basis under limited conditions subject to an evaluation of environmental and economic sustainability considerations, including but not limited to when justified by pest pressure or when other pesticides would be ineffective or have a disproportional environmental impact relative to neonicotinoid pesticides. Tenant farmers who operate under a Shareholder Agreement with Western Sugar Cooperative are excluded from the aforementioned approval process and are allowed to plant sugar beet seed with neonicotinoid seed coatings.

This new language is clearer and removes the potential confusion created by the opening of “is restricted to” followed later by the blanket exemption for sugarbeets. Also, it is important that both environmental and economic sustainability be considered within the approval process.

- 4.9. Agricultural tenants shall be provided, and comply, with clear expectations of Strategic Integrated Pest Management goals.

Soil Health Initiative

4.10. ~~Written to align with BOCC direction:~~ Boulder County recognizes the value and function of soil ecosystem services to both agricultural production and the local and global environment. Boulder County, ~~in collaboration with its tenant farmers,~~ shall develop a soil health program for use on BCPOS Agricultural ~~properties incorporating the principles of soil health~~ that is similar to the Colorado Saving Tomorrow’s Agricultural Resources (STAR) Program and providing recommendations for site-specific practices on leased BCPOS agricultural properties.

The STAR Program is done well and would provide a great framework for a soil health program. More efficient and in-line with statewide goals than trying to develop something new from scratch.

- 4.11. Boulder County prioritizes the arrest and reversal of soil degradation and the improvement of soil quality on BCPOS agricultural properties. Boulder County shall implement monitoring programs to track soil quality indicators. Data resulting from the monitoring programs shall be made available when requested.
- 4.12. Boulder County shall encourage the exploration of a variety of practices by BCPOS tenants to address soil fertility ~~concerns~~.
- 4.13. Boulder County shall assure compliance with all Federal, State, and local health department requirements, as well as implement all Parks & Open Space requirements for the use of biosolids on Boulder County lands.

Livestock management

- 4.14. Livestock operations are permitted on properties suitable for livestock.
- 4.15. Livestock operations are recognized as a valuable tool in management programs such as Strategic Integrated Pest Management and Soil Health. Livestock operations shall be encouraged both as a rotational phase in diversified operations and as a primary agricultural operation on appropriate BCPOS agricultural properties.

- 4.16. Boulder County shall collaborate with tenants, federal, state, and local agencies, and others to develop physical infrastructure to support viable livestock operations on BCPOS agricultural properties.
- 4.17. Animal Feeding Operations (AFOs)[add link to federal or state definition] are permitted on Parks & Open Space property on agricultural properties only with specific permission.
- 4.18. Animal Feeding Operations (AFOs) shall be sited according to federal, state and, county laws, in appropriate areas with consideration given for appropriate buffers for natural resources and neighbors.
- 4.19. AFOs shall employ Best Management Practices for manure management to maximize the use and preservation of manure nutrients in local crop production and shall minimize the release of environmental air and water emissions.

Prairie Dogs

- 4.20. All BCPOS cropland shall be defined as a No Prairie Dog Area as outlined in the Prairie Dog Element of the Grassland Management Policy.
- 4.21. Boulder County shall prioritize preventing prairie dog encroachment onto BCPOS cropland. Lethal control of prairie dogs will be in accordance with the Prairie Dog Element of the Grassland Management Plan.
- 4.22. After training and with approval from Parks & Open Space, lease-holders may perform lethal control of prairie dogs on their leased cropland.

Organic Production

- 4.23. Boulder County shall prioritize opportunities for organic operations on POS land and continue expansion of certified organic agriculture on Open Space land with the goal of maintaining a growth rate in acres leased for organic agriculture that meets or exceeds the national growth rate of organic acres in each year, if market forces allow. Boulder County will work with producers, the natural foods industry, and other stakeholders to explore and expand market opportunities.

4.23.1. Integrated Pest Management and Resistance Management: The organic technology shall be compatible with the BCPOS Strategic Integrated Pest Management Program.

4.23.2. Pest Control: The organic cultivar shall allow farmers to reduce the environmental impacts of pesticides through a shift to reduced-risk pesticides and/or a reduction in pesticide use on a per acre basis.

4.23.3. Conservation: The organic technology shall be compatible with BCPOS Soil Health Program and the BCPOS Water Policy.

4.23.4. Yield and Quality Management: The organic technology shall increase crop yield, crop quality, and/or profitability compared to levels in Boulder County at the time of assessment.

5. Education and Outreach

Sustainability of agricultural open space is not limited to agricultural management. Communication with the public allows for a greater understanding of local food systems and connects the community to the landscape and to those who produce the food, fuel, and fiber they encounter every day.

The Vision of the Agricultural and Water Resources Division is “Thriving agricultural lands for generations to come.” Part of ensuring the long-term viability of local agriculture is stewarding not just the land but the people who will care for it.

General

- 5.1. Staff shall develop methods for creating public awareness of the role of public open space in crop and local food production.
- 5.2. Boulder County Parks & Open Space shall develop educational material demonstrating the value and importance of livestock and grazing for the agricultural economy of Boulder County and as a cropland management tool.
- 5.3. Boulder County works with a variety of organizations including CSU Extension to support educational programs that promote farming as a career, enrich farming practices, and encourage engagement with farmers.

Generations to Come

- 5.4. Boulder County recognizes the importance of developing farmers interested in many different forms of farming. Boulder County shall continue to support beginning farmers through youth in agriculture programs, working with Boulder County Extension, and providing competitive lease rates. Boulder County shall develop programs to foster the development of beginning farmers on Boulder County Open Space.
- 5.5. Boulder County shall develop and maintain a program to help beginning farmers to develop skills and practices while sharing land management responsibilities with other farmers.
- 5.6. Boulder County recognizes the contributions that multi-generational farmers have made to the quality of life in Boulder County. Boulder County shall continue to work with these farmers to help ensure the economic viability of these operations and to support these families as they continue to employ sustainable farming practices.

6. Associated Resource Values

Agriculture intersects with a diverse array of activities and resources. The following guidelines set expectations for the interaction of BCPOS agricultural properties and tenants with commonly encountered situations.

Water

- 6.1. Boulder County shall fully use county-owned water in an effective and efficient manner. BCPOS and tenant farmers will review and abide by the BCPOS Water Policy [[link to Water Policy](#)]

Cultural Resources

- 6.2. Standard operating procedures shall be developed to protect cultural resources on cropland.

Recreation

- 6.3. Trails shall be developed on agricultural land only with appropriate considerations for agricultural value. Trails shall be:
 - 6.3.1. Designed to minimize loss of cropland, irrigation interference, and impact on agricultural operations.
 - 6.3.2. Sited to reduce the possibility of weed transfer to ditches or fields.
 - 6.3.3. Closed to the public if/when pesticide application is in progress.

Natural Resources

- 6.4. Boulder County and its agricultural tenants shall abide by all federal and state laws governing wetlands, wildlife, and plant species.
- 6.5. The County Comprehensive Plan Critical Wildlife habitats shall be considered a priority for protection when leases and agricultural operating plans are developed.
- 6.6. For any wildlife designated as State Threatened or Species of County or State Concern, POS staff shall work with tenants to develop best management practices and site-specific plans to manage them.
- 6.7. If a new occurrence of a protected species occurs on POS land, no additional disturbance within the recommended US Fish and Wildlife Service (USFWS) or Colorado Department of Parks and Wildlife (CDPW) buffer shall occur. Existing operations can continue except where prohibited by these agencies.

- 6.8. To the extent possible, Boulder County POS shall preserve wildlife corridors through agricultural land:
 - 6.8.1 Highest priority corridors to preserve are natural streams – POS shall develop BMPs and appropriate site specific, buffers to protect these areas.
 - 6.8.2 Ditches often serve as corridors and to the extent possible, these riparian-like habitats shall be maintained.
- 6.9. Boulder County shall preserve wetlands and Comprehensive Plan designated Critical Wildlife Habitat by developing site specific best management practices and buffers to protect these areas.
- 6.10. Where feasible, Boulder County shall enhance wildlife habitat on agricultural properties (drainages, grassed waterways, corners of pivot systems, and non-productive land).
- 6.11. Boulder County recognizes the importance of pollinators to agricultural production and functional ecosystems. Boulder County shall encourage cooperation and facilitate dialog among tenant farmers and other parties interested in the conservation of pollinator populations. Boulder County shall consider the impacts on pollinator populations in the design of a Strategic Integrated Pest Management.

From: [Merrie Wycoff](#)
To: [Boulder County Board of Commissioners](#)
Subject: [EXTERNAL] Boulder County Cropland Policy Public Comments
Date: Tuesday, November 30, 2021 3:38:30 PM

Dear Commissioners Lochamin, Levy and Jones,

This letter is to address the Cropland Policy, and to recognize all your effort. I was surprised to learn that the previous ban on GMOs and related chemical use was unenforceable. We are stewards of Allen's Farm, a 100 year old historically landmarked farm that has made the leap from an Equestrian Center to a regenerative Sustainable Demonstration farm, which educates the public on the newly emerging practices of carbon sequestration, soil retention and water reclamation that will help heal these desertified acreage throughout the county. Pete Buttigieg mention our practices saying we "on the business end of climate change."

We are asking you to please reconsider specific language for all future leases on county land that details what practices are allowed/encouraged/required as well as those that are prohibited. Our young farmers and ranchers need space for experimentation and creativity as well as flexibility as they evolve their practices. Regenerative methods are still not widely taught due to inertia, labor issues and the influence of big corporations in our land grant universities.

Thank you for your consideration,
Merrie , Azuraye and Devon Wycoff
Allen's Farm
9417 N. Foothills Hwy.
Longmont, Co 80503

From: rich@zeoponix.com
To: [Foster, Mike](#); [Schnarr, Cassandra](#)
Cc: [Boulder County Board of Commissioners](#)
Subject: [EXTERNAL] Additional Comments on proposed Cropland Policy 2021
Date: Wednesday, November 24, 2021 3:20:35 PM
Attachments: [ode to pestitutes.pdf](#)

Mike Foster, and Cassandra Schnarr
Boulder County Parks and Open Space, Agricultural Resources

I welcomed the opportunity to actually meet with you both on Monday this week. I have concerns that the discussion session did not meet your expectations and your limitations imposed on allowed content and scope. I have major concerns about the major revisions being proposed to the existing policy. It was clear that your expectations for the meeting purpose were greatly different than mine. Hence the conversations sometimes came off as tense and I admit that many of my comments were brusque. Given that you asked for specific comments during Monday's meeting regarding the actual revised Cropland Policy proposed language as you have written, but which were only belatedly presented to the public after the public hearing in October, I offer to send to you the following additional comments. This is in addition to other electronic submissions that I have previously sent, multiple comments to the record as well as my short 3 minutes of oral testimony at the hearing. Those comments all still stand as written and spoken. I hope you will read them all thoroughly and take all into thoughtful consideration and not be pigeon holed by unwise constraints either self-imposed or otherwise limited by the Commissioners regarding the scope of needed changes to policy.

Instead of this hurried and inadequate process now in motion, the entire Cropland Policy actually should be comprehensively overhauled, and done properly with full public engagement, adequate time for inputs and discussions, using due public notice/process, and always supported by scientific documentation to put it on a firm basis of facts. That has not happened this Fall and the proposed revisions are seriously missing the mark, and in many respects seriously degrades or is contradictory to even other existing policies of the county of many other departments. I strongly advise that any policy revisions should be engaged with much better public process, unlike the rushed and illegitimate process of the last month or so. In essence I recommend starting over.

Overall, regarding our brief meeting, I was very disappointed with your interpretations regarding the limits of what is being allowed for discussion or consideration in the cropland policy revisions, i.e. only considering four narrowly construed items reportedly provided from the County Commissioners. I must object to this, given that you and all staff should instead provide your most comprehensive and researched counsel and advice to the Commissioners, particularly when the commissioners may not even understand the proper scope and impacts from such a delimited list of issues, or the interactive effects across all county policies and goals. Your service as county employees is for the entire population of Boulder County (and actually far beyond), not just three people. I'm convinced that the Commissioners actually do want get quality and comprehensive advice.

As one example of some of the problems with the proposed new policy, there are major deficiencies in the proposed revisions scope. And particularly there is a total lack of clear and

proper definitions for major policy matters, e.g. definitions for Strategic Integrated Pest Management (SIPM), Soil Health, chemical/name definitions of banned neonicotinoids, sustainability, etc. Without proper and clear definitions of all such key terms, there will arise disputes and interpretational arguments, misunderstandings, and even unintended negative consequences or willful violations of intent. Such clear definitions are absolutely necessary in the basic understanding of any policy and its proper implementation.

For example, in my previously submitted comments this Fall I provided a thorough definition for “neonicotinoids”. That is vitally needed. I will also be pleased to provide unambiguous definitions for other key terms like “integrated pest management”. IPM terminology is broadly misused by many farmers and others. As an example, IPM would not allow preemptive or use of prophylactic seed coatings with pesticides...and that is simply not proper. The use of any pesticide in the absence of a threshold potentially damaging presence of the target pests is unacceptable. A proper use of IPM is to only apply the least toxic approaches to pest management first, before any use of a toxin. I will be happy to assist with proper definitions of such necessary terms to accompany a revised cropland policy.

Soil health needs a very comprehensive definition, and must include regenerative soil health goals to deal with the degraded lands. And that is not simply listing a USDA/NRCS set of agricultural practices. The current policy statements are really almost meaningless. A healthy soil must contain real measurable quantifiable properties that define a healthy soil, chemical, physical, biological measurable properties; including such properties that can quantify abilities to sequester and retain/supply carbon, some in variously available SOM/SOC form and other in more recalcitrant forms, store and release plant available water/water holding capacity (retention/release), provide balanced nutrients and micro/trace nutrients to crops, support and have healthy populations of invertebrates and micro-organisms, have favorable textural properties and air/water porosity, soil aggregation, pH, alkalinity, etc., etc. And very importantly a healthy soil must not contain toxic constituents such as long half-life pesticide residuals or toxic metabolic breakdown chemicals, excessive soluble salts or imbalances of major cation CEC), nor be degraded by excessive synthetic chemical additives or contaminated materials such as biosolids, or air deposition/water borne toxics. Soil health definitions need to be included in any new policy, not added as an afterthought.

Detailed programs to prove soil quality is improving by proper analytical measures are essential policy, along with requirements for lessees to maintain and maximize soil health.

A key personal objection to the proposed revisions to Cropland Policy is on the 2nd page where names of the original Cropland Policy Advisory Committee (CPAG) are listed as well as an outdated listing of Parks and Open Space staff. These individuals names should not be on the current and essentially gutted cropland policy that they participated in. This is particularly true since the new proposed policy bears no resemblance to the original policy. I served on the original CPAG and do not want my name on this new document, certainly not in its current form. That entire page should be eliminated.

As another overall objection and observation to the current draft revisions, they miss the mark significantly when considered with the more comprehensive stated objectives and policies across all elements of good county government and wise public policy, and in particular are

conflicting with or even defeating policies and goals of other departments of the County, including public health department, many elements of social services, public works, climate disruption and resilience (OSCAR), etc. I urge you and all programmatic and policy aspects of Boulder County Parks and Open Space to closely coordinate with all relevant departments and with much more involvement of the public, to avoid these conflicts of purpose. Failing to do so is not only wasteful of the public assets, but is actually damaging and wasteful to the public welfare, public health, equality, community and environment locally and in many cases have consequences far beyond our county borders. I am a strong advocate for holistic thinking, planning, and action. I hope the BCPOS can do so also.

A key example of failure to integrate objectives is in achieving soil carbon sequestration on agricultural lands. The programs of the office OSCAR must be thoroughly integrated and supported by all agricultural practices, in particular best achieved by moving rapidly to regenerative organic practices. The heavy use of agricultural chemicals in “conventional” chemical based agriculture is adverse to achieving the objectives of OSCAR. Soil health is damaged by chemical versus natural organic methods. Past assessments of comparing chemical agriculture to organic have been totally flawed, notably since the methodologies used by County Extension are not full life cycle assessments, and consequently result in erroneous conclusions. That needs a restart to do the assessment properly and scientifically. I was dismayed by the introductory materials that accompanied the public package announcing the cropland policy revisions.

I realize that I have not provided you with a line by line critique of the proposed revisions to the Cropland Policy, but truthfully that is not time well spent when the document is so inadequate, imprecise and “fuzzy” as guidance and policy, and therefore not useful policy guidance either as now existing, or as proposed to be revise

>>>>>> Consequently for now, I strongly recommend that this Cropland Policy revision process only deal with the single item that has an GE allowed crop expiration date at the end of the year, namely expiration of certain GE crop extensions, and instead engage in a much more thoughtful and full/deep consideration, with extensive full public engagement. Key matters that need to be handled now are few due to expiration of certain deadlines, mostly related to GE crops and neonic pesticides.

It is my position on that single matter of expiration of allowed planting of GE crops on open space lands that the current deadlines for banning their use remain in place, and not be changed. There is simply no compelling reason to alter the deadlines for discontinuing and banning, nor to dismiss the past public opinion in decades long deliberations regarding GE crops and associated pesticides. That is not to imply that I agree with past deferrals of implementation of bans, or decisions about these key topics, but I emphatically disagree that the current public process has been well executed, or that the current changes are wisely proposed.

Here are detailed recommendations that must be in place specifically related to certain pesticides and GE crops and other uses on county lands:

1. The initial proposal announced this Fall to ban the use of neonicotinoids on all crops on

Boulder Open Space croplands should proceed with haste, not to be allowed beyond Dec 31, 2021. The last minute revision to allow with sugar beets should not occur; rescind it.

2. Furthermore neonicotinoid insecticides and also glyphosate based herbicides (GBH) shall not be allowed for any use on county owned open space, including crop lands, range lands, forest lands, or any other county owned, leased or otherwise controlled properties.
3. For GE corn and sugar beets, as currently limited to certain GE traits, my strong preference is to enact ban dates, all to expire as of December 31, 2021.
4. Given that the issue of GE has never been properly described as the key issue, instead being the issues of associated toxic pesticides for which these GE crops are designed to be resistant to, this needs immediate attention and has been kicked down the road too many years.
5. Even if both GE corn and sugar beets are allowed to be grown on open space, I call on the ruling to allow no glyphosate based herbicides (GBH) for any purpose with these specific GE crops. Glyphosate is a proven health hazard to humans and many other species; it also results in degraded crop nutrition values, and negatively affects soil health and important soil organisms.
6. Given these proven human health and environmental health issues associated with glyphosate based herbicides I ask that no GBHs be allowed on any crops on open space.
7. If Bt GE trait for corn is allowed, but no other stacked GE traits such as GBH resistance should be allowed or even if such trait is stacked with Bt trait, no GBHs would be allowed to use with an GE Bt trait corn.
8. Furthermore no seed coatings of neonicotinoids will be allowed on any corn, sugar beets or any other crop, whether GE or not.
9. No subsequently developed GE corn or other GE crop traits shall be allowed, including but not limited to such traits as GE (multiple) tolerances to additional herbicides such as but not limited to 2,4-D, 2,4,5-T, and the volatile Dicamba, or other new herbicidal, fungicidal or insecticidal tolerance traits. This is an important issue, since multiple pesticide GE herbicide tolerances have been developed since the previous phase outs of certain GE crops were approved in Boulder county open space, and many of these additional herbicides are also very environmentally and public health dangerous.
10. For GE sugar beets, I would assent that the GE trait glyphosate tolerant beet seed can be used, but non-GE seed is preferable and it must be shown by thorough investigative proof that non-GE seed is not available before allowing any GE sugar beet seed. Also for sugar beets, No neonic seed coatings shall be allowed on sugar beets, nor any foliar, soil drench, or other application methods of neonicotinoids shall be used. And even though GE sugar beets may be engineered to be resistant to glyphosate based herbicides, as with GE corn, no glyphosate applications shall be allowed. (There has been no convincing documentation that non-neonic treated seeds or non-GBH seed cannot be obtained from alternative sources. A decree by Western Sugar requiring farmers to use certain pesticides should be considered totally invalid on Boulder County lands.)
11. No GE trait alfalfa for any trait shall be allowed on open space lands. (This reaffirms a long standing policy of BCPOS that bans the use of GE alfalfa.)
12. No GE grains such as wheat, barley, oats, etc. nor any legumes, including soy, nor any other crop species shall be allowed on open space lands.
13. The allowance for any future developed or altered forms of GE crops or traits cannot/will not be left to the discretion of POS staff decisions, or their selected advisors. Any and all new GE

crops and traits that may be considered for use on BCPOS lands will need to be fully vetted by exhaustive scientific investigation, and presented to the full public for comments and due process with hearings of any approvals for use by due process and as needed, future amending of the Cropland Policy.

14. No crops shall be allowed to be treated with glyphosate or any herbicide for the purpose as a desiccant to kill & dry the crop just prior to harvest. This is an exceedingly hazardous practice that virtually guarantees that the harvested crops will be contaminated with glyphosate or amino-methyl phosphonic acid (AMPA), the primary and also toxic metabolic breakdown chemical.

I have clearly and substantially scientifically documented the adverse toxic effects to human health and ecological and soil health of both the entire class of neonicotinoid insecticides and glyphosate based herbicides (GBH). Even since my last scientific literature reviews on these subjects (previously submitted as testimony) there has been a wealth of additional unbiased, uncompromised by corporate funding, peer reviewed scientific literature published, and also informed decisions by regulatory and advisory bodies such as the United Nations World Health Organization, and bans in several foreign countries are growing. Most recently Mexico has taken steps to ban glyphosate; so should we.

There are many crossover multi-departmental benefits for developing a comprehensive food and agricultural policy(s) for Boulder County. We can and should do so much better than the existing disparate policies, to serve all the people of Boulder County, for efficiency and efficacy in government, and to protect our sacred environment. Our food and agricultural policies are not doing that now, nor will they with the proposed changes to the Cropland Policy.

Please feel free to call on me to support your efforts.

Richard Andrews
Local citizen of Boulder County
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Mobile # 303 918 8297
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p.s. I've attached my poem that was part of my testimony at a county public hearing on 3 June 2019 when the latest failed path and delays in implementation of Cropland Policy were engaged. It expresses dramatically the personal, societal, public health, and ecological threats from the present path of poisoning of our sacred environment through our food and ag systems, particularly health effects we two leggeds, our children in particular, only one of the multitude of threatened species on this small but endangered planet. My poem was stimulated by a poem of Wendell Berry which I've also attached, "Questionnaire", and an accompanying saying beside his caricature.

p.p.s. Thanks to Cassandra for sending the contract reports from Mad Agriculture. Overall they are exceeding shallow and inadequate, contain little documentation or hard facts to support any policy decisions. (If this is all they've provided, they amount to little use; an embarrassment to the county to have wasted so much money and time on the contract.)

From: [Heidi Todd](#)
To: [Boulder County Board of Commissioners](#)
Subject: [EXTERNAL] DON'T reverse the ban!
Date: Sunday, November 28, 2021 9:31:25 PM

Dear Commissioners Levy, Loachamin, and Jones,

I implore you all: **DON'T reverse the ban on Genetically Engineered crops on Boulder County agricultural land.** Phasing-out GE crops and neonicotinoid use is congruent with so many of Boulder valley's goals: agricultural, environmental, climate, land use, and much more. It's also what your constituents want, and elected you to promote! Reversing the ban would be a huge step in the wrong direction, subverting all our goals in favor of 9 farmers who are enslaved to Big Ag. Instead, we need to make Boulder a leader in supporting forward-thinking regenerative and organic agriculture, which is gaining momentum in our area.

Your constituents have not been adequately informed about this issue; even those most active in the arena were in the dark. Please don't rush through this reversal without allowing sufficient public engagement with this consequential matter!

Most sincerely,

Heidi H. Todd
99 Model T Rd.
Boulder, CO 80302