



Parks and Open Space

5201 St. Vrain Road • Longmont, Colorado 80503
303.678.6200 • Fax: 303.678.6177 • www.bouldercounty.org

MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE ADVISORY COMMITTEE August 25, 2016

Approval of the July 28, 2016 Meeting Minutes

Action Taken: Jenn Archuleta moved to accept the July minutes. Scott Miller seconded the motion. Motion carried unanimously. John Nibarger abstained because he was not at the July meeting.

Public Participation - Items not on the Agenda

- Paul Schlagel, 1260 County Rd 20 ½, Longmont: He spoke about the County's plan to transition away from non-Genetically Engineered crops.

Action Taken: Scott Miller asked staff for an update on the transition plan. Ron Stewart responded that staff is currently working on a plan and a hearing should happen in the near future.

Canino-7M Ranch-2016 CDOT Taking (for Highway Bridge Work)

Staff Presenter: Janis Whisman, Real Estate Division Manager

Action Requested: Recommendation to BOCC

Public Comments: None

Action Taken: Gordon Pedrow moved to accept staff recommendation for the CDOT taking as presented, and Jim Krug seconded the motion. After discussion, motion carried unanimously.

Tice Conservation Easement and Potential Montgomery Farm Sale

Staff Presenter: Janis Whisman, Real Estate Division Manager

Action Requested: Recommendation to BOCC

Public Comments: None

Action Taken: Gordon Pedrow moved to approve the easement and potential sale as presented, and Jenn Archuleta seconded. James Mapes offered an amendment requesting a Right of First Refusal on the house lot. The amendment failed 1-8. Motion carried 8-1.

Boulder Valley Comprehensive Plan Summary of Policy Updates

Staff Presenter: Nicole Wobus, Boulder County Land Use; Jeff Moline, Boulder County Parks and Open Space

Action Requested: Information Only

Public Comments: None

Action Taken: POSAC offered suggestions for clarity and requested another opportunity to give feedback in the next phase. Nicole Wobus assured the committee that they will be offered another opportunity in September. Jeff Moline suggested staff could email a more recent iteration that POSAC members could comment on.

Reptile and Amphibian Diversity Inventory and Rattlesnake Telemetry Study Results- Rabbit Mountain

Presenters: Joe Ehrenberger, Vernalis Environmental & Thomas Mathies, Rocky Mountain Biological Services

Action Requested: Information Only

Public Comments:

- Amy Strombotne, 8502 Stirrup Ct., Boulder County: She reiterated the importance of county money being used for wildlife habitats and the importance of prairie dogs to other wildlife. She also likes to see kids involved in these types of projects.

Renewal of Boulder County and City of Boulder Jointly Owned Open Space Intergovernmental Agreement

Staff Presenter: Ron Stewart, Parks and Open Space Director

Action Requested: Recommendation to BOCC

Public Comments: None

Action Taken: Jenn Archuleta moved to accept the Intergovernmental Agreement renewal as presented and Scott Miller seconded. Motion carried unanimously. Sue Cass abstained.

Director's Update

- Previously POSAC had suggested language for the Open Space Element of the Comprehensive plan that recommends that Boulder County retain management authority over jointly held properties with high environmental and natural values. Staff has discussed this suggestion, but decided to reject it because Intergovernmental Agreements usually address type of arrangement and this language did not seem to be a good fit for the Comp Plan.

- The BOCC approved ballot language for two measures to appear on the November 2016 ballot that would extend an existing 0.25% countywide open space sales and use tax for the purpose of continuing open space programs and funding countywide sustainability initiatives.
- Ron Stewart gave thanks to POSAC for their contribution to open space. Ron will retire in September.

Adjournment

The meeting adjourned at 9:18 p.m.

The full audio, available staff memos, and related materials for this meeting can be found on our website: www.BoulderCountyOpenSpace.org/POSAC



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PARKS AND OPEN SPACE ADVISORY COMMITTEE MEETING

DATE: Thursday, August 25, 2016
TIME: 6:30 pm
PLACE: Commissioners' Hearing Room, 3rd Floor, Boulder County Courthouse,
1325 Pearl Street, Boulder, CO

AGENDA

Suggested Timetable

- 6:30 1. **Approval of the July 28, 2016 Meeting Minutes**
2. **Public Participation - Items not on the Agenda**
- 6:40 3. **Property Transactions:**
- Canino-7M Ranch-2016 CDOT Taking (for Highway Bridge Work)**
Staff Presenter: Janis Whisman, Real Estate Division Manager
Action Requested: Recommendation to BOCC
- Tice Conservation Easement and Potential Montgomery Farm Sale**
Staff Presenter: Janis Whisman, Real Estate Division Manager
Action Requested: Recommendation to BOCC
- 7:05 4. **Boulder Valley Comprehensive Plan Summary of Policy Updates**
Staff Presenter: Nicole Wobus, Boulder County Land Use; Jeff Moline, Boulder County Parks and Open Space
Action Requested: Information Only
- 7:30 5. **Reptile and Amphibian Diversity Inventory, and Rattlesnake Telemetry Study Results- Rabbit Mountain**
Presenters: Joe Ehrenberger, Vernalis Environmental & Thomas Mathies, Rocky Mountain Biological Services
Action Requested: Information Only
- 8:15 6. **Renewal of Boulder County and City of Boulder Jointly Owned Open Space Intergovernmental Agreement**
Staff Presenter: Ron Stewart, Parks and Open Space Director
Action Requested: Recommendation to BOCC
- 9:15 7. **Director's Update**
- 9:25 8. **Adjourn**

Available staff memos & related materials for this meeting may be viewed on our website:
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PARKS AND OPEN SPACE ADVISORY COMMITTEE MEETING

TO: Parks & Open Space Advisory Committee

DATE AND LOCATION: 6:30 p.m., Thursday, August 25, 2016, Commissioners Hearing Room, 3rd floor, Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

AGENDA ITEM TITLE: Canino-7M Ranch-2016 CDOT Right-of-Way Taking

PRESENTER: Janis Whisman, Real Estate Division Manager

ACTION REQUESTED: Recommendation to the BOCC

Summary

The State of Colorado's Department of Transportation (CDOT) intends to take a non-exclusive easement over a ¼-acre parcel of land from the Canino-7M Ranch conservation easement open space property, which is located at the northwest corner of Colorado State Highway 52 and East County Line Road. The ¼-acre parcel is located on the east side of Boulder Creek. CDOT intends to use the parcel for additional improvements to protect the bridge that CDOT built in 2009.

Background

Boulder County acquired a conservation easement over the Canino-7M Ranch property when it sold the property (formerly known as the Becky property) to Clyde and Jan Canino in 2001. At the time, it was determined that the conservation easement represents 2/3 of the property's overall value. The county also acquired a trail easement in the southeastern corner of the property that starts at Boulder Creek and runs east to the corner of Highway 52 and East County Line Road, and that then runs north along East County Line Road to the creek.

CDOT built a new bridge under Colorado Highway 52 in 2009 when it made improvements to the intersection of Highway 52 and East County Line Road. Since the 2013 Flood, CDOT has determined that additional highway, bridge protection and drainage work is necessary to better protect the bridge. (CDOT will also protect the south side of the bridge, which will affect the Wheeler Ranch property before the county acquires it next year.) On the north side, the county's interest in the Canino-7M Ranch conservation easement will be taken along with the underlying fee interest that CDOT will take from the Caninos. CDOT performed an appraisal of the land and determined the easement over the ¼ acre to be worth \$2,827, which the Caninos and Boulder County consider reasonable. The county will receive 2/3 of that amount, or \$1,885, because the conservation easement is worth 2/3 of the property value. Caninos will receive the other \$942. CDOT will also pay Caninos for an additional area necessary to preserve Boulder County's trail easement in that area of the property.

Summary of Taking

Acreage	Per acre price	Value of CDOT Taking	Proceeds Ratio	Disposition breakdown
0.236	\$11,979	\$2,827	1/3 to Caninos 2/3 to County	\$942 to Caninos \$1,885 to County

Public Process

The resolution language creating the sales tax that was used to purchase the Canino-7M Ranch Conservation Easement property requires specific procedures be followed for converting use of the ¼ acre from open space to a non-exclusive easement for road right-of-way, including adjacent property owner notification, newspaper notice, and a 60-day waiting period following county commissioner approval before CDOT's taking becomes permanent. The notices included an invitation to attend and comment at this meeting. Public comments will be shared with you at the meeting.

Staff Discussion and Recommendation

Staff recommends approval. CDOT has condemnation authority over Boulder County, so the county cannot prevent CDOT from taking this easement. The Caninos likewise understand they cannot prevent the easement taking and recognize the county is entitled to 2/3 of the proceeds to reimburse the county for the loss of conservation easement value. Boulder County prefers to cooperate informally with CDOT in condemnation situations, rather than require the full formal condemnation process that is more costly and time-consuming for both parties. CDOT was very reasonable in accommodating the county's request that CDOT preserve Boulder County's trail easement around the easement area being taken.

POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval as described above.





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PARKS AND OPEN SPACE ADVISORY COMMITTEE MEETING

TO:	Parks & Open Space Advisory Committee
TIME/DATE:	6:30 p.m., Thursday, August 25, 2016
LOCATION:	Commissioners Hearing Room, 3 rd floor, Boulder County Courthouse, 1325 Pearl Street, Boulder, CO
AGENDA ITEM:	Tice Conservation Easement and Potential Montgomery Farm Sale
PRESENTER:	Janis Whisman, Real Estate Division Manager
ACTION REQUESTED:	Recommendation to the BOCC

Summary

Boulder County proposes to acquire conservation easements over the 72-acre Tice property and associated water rights for \$2,703,335. The Tice property is located ½ mile east of the railroad tracks on Highway 66 on the north side of Longmont. The Tice property is within the City of Longmont's planning area and is designated for a future community park. In exchange for the city's permission to acquire this conservation easement, the county proposes entering into an intergovernmental agreement to sell the 129-acre Montgomery Farm property to the city in the future as a replacement property for a future community park. The county will retain a conservation easement over the entire Montgomery Farm property that will allow a community park on up to 80 acres and require that the remainder still be used for agriculture.

Background

The Tice property, which is currently used for agriculture, is bordered by Highway 66 on its south side. It is bordered by the Clark (C.H.) county open space property on the north and by the Strawberry Holdings and Hoffman Farm county conservation easement properties to the east and west.

In 2015, the owner Karl Tice approached the county about selling the county a conservation easement over the property. Because the property is in the City of Longmont's planning area, staff told Mr. Tice that he would need to get Longmont to grant the county permission to negotiate with him, and Longmont granted that permission in early 2016. The county and Mr. Tice negotiated a deal and have signed a letter of intent.

Deal Terms

The county will acquire two conservation easements from Mr. Tice:

1. House Lot Conservation Easement. Mr. Tice would like to reserve one of two development rights associated with the property on a 2.5-acre house lot. The county will create the lot using the Parks and Open Space Department's 'division of land' process. The county will acquire a conservation easement over this parcel that will allow one single-family residence and residential accessory structures, such as a garage, up to a total of 6,000 square feet. The conservation easement will also prohibit accessory dwellings and will limit non-residential agricultural accessory structures to 1,300 square feet.
2. Agricultural Conservation Easement. The county will acquire an agricultural conservation easement over the remaining approximately 69.5 acres of the property that will prohibit residences on this larger parcel, but that will allow up to 5,000 square feet of non-residential agricultural accessory structures. Mr. Tice owns the mineral rights and they have not been leased, so the conservation easement will also prohibit all mineral extraction.

Acquisition Summary

Acres	Water Rights	# Building Rights	Price per Acre	Water Right Value	Total Purchase Price
72	50% interest in 1 share Rough & Ready Ditch Co. 50% interest in 1 share of Pleasant Valley Ditch Co.	1* valued at \$350,000 on 2.5 acres	\$38,673**	\$249,975 for 50% of 1 share Rough & Ready \$115,570 for 50% of 1 share Pleasant Valley	\$2,703,335

* Owner will retain 1 building right on 2.5 acres, subject to conservation easement.

** This is the same value the County paid for the Hoffman Farm conservation easement.

Contingencies

The foregoing transaction is contingent upon the county receiving grant funding from the Natural Resource Conservation Services' federal Agricultural Land Easement program (formerly the Farm and Ranchland Protection Program) and an associated appraisal that supports the purchase price. The county also has the ability to cancel the transaction if grant funding does not provide 50% of the cost.

City of Longmont Requirements

The Tice property lies within the City of Longmont's planning area, and it is designated in Longmont's comprehensive plan to become a community park at some point in the future. Because Boulder County previously endorsed the city's comprehensive plan by intergovernmental agreement and joint adoption, the county needed the city's permission to negotiate with Mr. Tice. The city granted that permission, with conditions that:

1. At closing on the Tice property, the County shall pay the City \$711/acre for the sunk costs of oversizing the water and wastewater transmission lines serving the property, with both costs brought to today's value. (For the 2015 Hoffman Farm deal, this equated to about \$80,000.)
2. The deal must involve dedication to the State of Colorado for a section of the Tice property along its southern boundary necessary to establish a uniform right-of-way for the highway, if a survey shows that a uniform right-of-way does not already exist.
3. The deal must involve dedication to the City of Longmont a new 30'-wide utility easement along the southern property boundary, adjacent to the north side of an existing 50'-wide drainage easement.
4. Before closing, the county and city must have entered into an intergovernmental agreement defining the terms of the sale to the city of the county's Montgomery Farm open space property.

Montgomery Farm Property

Because the Tice property is designated for a future community park, the county's acquisition of conservation easements will thwart that future use, so the county had to identify a suitable replacement property that could instead be developed into a community park. The city and county have agreed that the 129-acre Montgomery Farm property is the most appropriate replacement property. The property is bordered by Highway 66 and East County Line Road on its northern and eastern borders, by the city's Jim Hamm Pond district park on its southern border, and by residential neighborhoods on its western border. The Montgomery Farm property is larger than the Tice property, so the city and county have agreed that only 80 acres of the Montgomery Farm property may be used for a park, and that the remainder must still be used for agriculture. Because of its location, it may be best suited for a market farm or community garden, rather than for traditional row-crop agriculture, although that will still be a potential use. The county will sell the property to the city with a 50% interest in its irrigation water rights, which include 1/2 share of the capital stock of the Rough and Ready Irrigating Ditch Company, 1 share of the Pleasant Valley Reservoir Fish and Ditch

Company, and an undivided 1/2 interest in the Hamm Private Ditch. The county will retain the mineral rights, which the county fully owns and that are not subject to lease for oil and gas development. The county will also retain sufficient land to satisfy the Boulder County's Transportation Department's need for road right-of-way, if any.

The county acquired the Montgomery Farm property subject to a deed restriction that allows only park and open space uses, and the sale to Longmont would have the same restriction. The county will retain a conservation easement over the entire property that will tie the city's water rights to the land. The county's remaining 50% interest in the water rights will also be tied to the land. The conservation easement will allow a community park on up to 80 acres and that will require the rest of the property to remain in agricultural use. The agricultural area of the property will be located in the southern portion adjacent to Jim Hamm Pond, and the city and county will collaborate on the agricultural uses to identify which uses are best suited for the property. The park will be located in the northern portion of the property, and the city will provide buffer areas between park uses and the neighborhoods to the west. The city may build a small pond for irrigation use or as a park amenity, but the pond and property cannot be used as an element of the city's water supply, storm water or sewer systems. Finally, the conservation easement will prohibit roads connecting the neighborhoods to the west with East County Line Road.

Boulder County Comprehensive Plan Designations

Since the maps in the comprehensive plan are intended to be illustrative rather than specific, these designations are indicators of importance but not confirmation that these features exist on the property. The Boulder County Comprehensive Plan maps indicate the property contains prime soils, which are irrigated soils of national significance.

Staff Discussion and Recommendation

Staff recommends this project for approval. It will preserve nationally significant and prime agricultural soils and associated water rights. The deal will remove one development right and create a 1.5-mile contiguous section of scenic agricultural open space along the north side of Highway 66. The Montgomery Farm property is an agricultural 'island', which makes it more suitable than the Tice property for a future community park. Trading the Montgomery Farm property for the Tice property will satisfy Longmont's needs while still keeping a significant portion of the Montgomery Farm property in agricultural use.

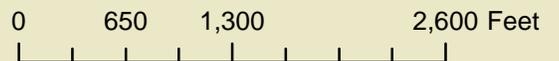
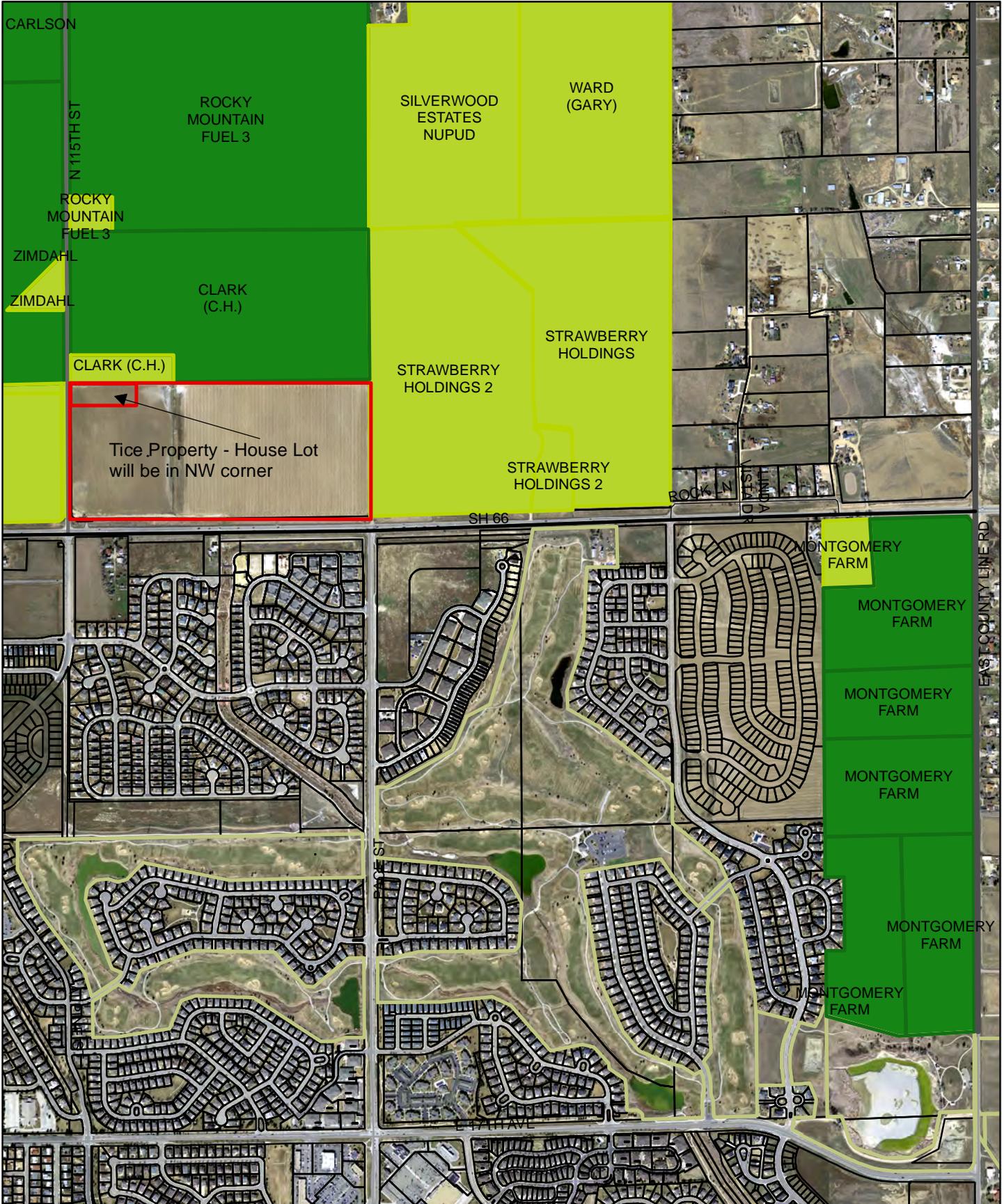
POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval of the Tice conservation easements, the associated 'division of land' for the 2.5-acre house lot parcel, the intergovernmental agreement with the City of Longmont, and the associated disposition of the Montgomery Farm open space property, all as described above.

Tice Property, with Montgomery Farm and Vicinity



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PARKS AND OPEN SPACE ADVISORY COMMITTEE

TO: Parks & Open Space Advisory Committee

TIME/DATE: 6:30 p.m., Thursday, August 25

LOCATION: Commissioners Hearing Room, 3rd floor, Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

AGENDA ITEM TITLE: Boulder Valley Comprehensive Plan Summary of Policy Updates

PRESENTER: Nicole Wobus, Long Range Planning and Policy Manager, Boulder County Land Use; Jeff Moline, Resource Planning Manager, Parks and Open Space Department

ACTION REQUESTED: Information Only

A city/county planning team has been working across city and county departments to ensure the updated BVCP policies align better with master plans or other policies introduced since the last BVCP major update in 2010, and to identify emerging areas of work. **Attachment A** includes recommended policy updates to the policy sections most pertinent to POSAC, and that county Parks and Open Space staff are engaged in commenting on: Section 3 (Natural Environment), Section 8 (Community Well Being) and Section 9 (Agriculture and Food). The latest draft versions of other BVCP policy sections are available upon request.

The BVCP policy updates reflect input from city and county staff, including staff input from the following county departments: Parks and Open Space, Public Health, Resource Conservation, Community Services, Boulder County Housing Authority, Sustainability, Transportation and Land Use. The draft policy sections will continue to undergo revisions based on input from city and county decision makers, as well as further staff refinements to reflect previous input that has not yet been incorporated. Temporary endnotes in the draft policy sections are intended to explain the origin of the proposed changes. All policies will be renumbered for final draft.

Staff will provide a summary of the proposed policy updates to Planning Commission on September 21. The City of Boulder Planning Board is scheduled to decide on proposed policy updates (core values and Sections 3, 4, 5, 6, 8, 9) on October 20, and City Council is scheduled to decide on November 1. Decision dates for county bodies are yet to be determined.

3. Natural Environmentⁱ

*Proposed new section title: **Environmentally Sustainable Community**. This may be combined with other policies around energy and climate in addition to agriculture and food policies relating to land and environment.*

The natural environment that characterizes the Boulder Valley is a critical asset that must be preserved and protected. It is the framework within which growth and development take place. Within the Boulder Valley's complex ecological system, Human economic, built environment and community systems are inextricably linked with the Boulder Valley's complex ecological system, the region and the world.

The climate of the Boulder Valley has dried over the past three decades, and the potential for further changes and intensified weather events prescribe the need for the city and county to proactively consider intervention and investment in natural resources (e.g. urban forestry or natural hazard mitigation) to reduce risk.

~~The natural environment that characterizes the Boulder Valley is a critical asset that must be preserved and protected. It is the framework within which growth and development take place. The city and county recognize that the Boulder Valley is a complex ecological system and that there are inextricable links among our natural environment, the economy, the built environment and community livability. The Boulder Valley is an open system in that our natural and human systems are connected to the region as well as to the entire world. The city and county acknowledge that regional and global changes can have a profound effect on the local environment and that the local economy and built environment can have adverse impacts on natural systems beyond the Boulder Valley.~~

Boulder has been at the forefront of environmental protection and preservation for many years. The ~~predominant~~^{vast} amount of natural land protected by the city and county contributes to the high quality of life for residents. The community's historic and on-going emphasis on clean air and water has resulted in significant progress toward a sustainable, resilient and healthy urban environment.

The city places strong emphasis on being a leader and role model to other communities for its exemplary environmental protection practices and accomplishments. The city will continue to ~~develop and~~ implement state of the art environmental policies both community wide and within the city government organization to further ~~its~~ environmental sustainability goals.

The policies in this section support the following city and county goals related to the conservation and preservation of land, water, air resources and pollution prevention and resilience:

- Native Ecosystems and Biodiversity ~~and Native Ecosystems~~
- Urban Environmental Quality
- Geologic Resources and Natural Hazards

- Water and Air Quality

3.01 Incorporating Ecological Systems into Planning

The city and county will approach planning and policy decisions in the Boulder Valley through an ecosystem framework in which natural regions like airsheds and watersheds are considered and incorporated into planning.

3.02 Adaptive Management Approach

The city will employ an adaptive management approach to resource protection and enhancement. An adaptive management approach involves ongoing monitoring of resource conditions, assessment of the effectiveness of management actions, revision of management actions based on new information from research, and learning from experience what works and what does not.

Native Ecosystems and Biodiversity and Native Ecosystems

3.03 Natural Ecosystems

The city and county will protect and restore ~~significant~~ native ecosystems on public and private lands through land use planning, development review, conservation easements, acquisition and public land management practices. The ~~protection and~~ enhancement of biological diversity ~~through the protection of and~~ habitat for federal endangered and threatened species and state, as well as county critical wildlife habitats/migration corridors, environmental conservation areas, high biodiversity areas, rare plant areas, and significant natural communities and local species of concernⁱⁱ will be emphasized. Degraded habitat may be restored and selected extirpated species may be reintroduced as a means of enhancing native flora and fauna in the Boulder Valley.

3.04 Ecosystem Connections and Buffers

The city and county recognize the importance of preserving large areas of unfragmented habitat in supporting the biodiversity of its natural lands and viable habitat for native species. The city and county will work together to preserve, enhance, restore and maintain ~~undeveloped~~ lands critical for providing ecosystem connections and buffers for joining significant ecosystems.

Urban areas also are important for supporting biodiversity and maintaining wildlife habitat. Efforts should be made to best use and manage public lands to optimize the quality and quantity of natural habitat and provide connections and corridors within the urban built environment between natural lands to support movement of native organisms. The city and county recognize the importance of buffers to mitigate the effects of urban and intensive land uses and human activity upon natural areas and where practicable will work together to establish and maintain buffers between areas of urban development and high levels of human activity and those with significant ecological value. ⁱⁱⁱ

3.05 Maintain and Restore **Natural Disturbance and Ecological Processes**

Recognizing that ecological processes, such as wildfire and flooding, are integral to the productivity and health of natural ecosystems, the city and county will work to ensure that, when appropriate precautions have been taken for human safety and welfare, ecological processes will be maintained or mimicked in management of natural lands.

3.06 Wetland and Riparian Protection

Natural and human-made wetlands and riparian areas are valuable for their ecological and, where appropriate, recreational functions, including their ability to enhance water and air quality. Wetlands and riparian areas also function as important wildlife habitat, especially for rare, threatened and endangered plants, fish and wildlife. The city and county will continue to develop programs to protect and enhance wetlands and riparian areas in the Boulder Valley. The city will strive for no net loss of wetlands and riparian areas by discouraging their destruction or requiring the creation and restoration of wetland and riparian areas in the rare cases when development is permitted and the filling of wetlands or destruction of riparian areas cannot be avoided.

3.07 Invasive Species Management

The city and county will promote efforts, both public and private, to prevent the introduction or ~~growth~~ ~~culture~~ of invasive (and non-native) plant and animal species and seek to ~~prevent~~ ~~control~~ their spread. High priority will be given to managing invasive species that have, or potentially could have, a substantial impact on city and county resources. Management of both non-native and non-local native species will be based on weighing impacts vs. benefits that includes documented threats to species of concern, specific to each site, acknowledging that some non-native species may have become naturalized. Management decisions should also take into account changing species composition due to climate change and other human impacts, as well as the potential benefit and ecosystem services that are provided by each organism, based on the best available science.^{iv}

3.08 Public Access to Public Lands

Certain city and county-owned or managed lands provide a means for educating users on the importance of the natural environment. Public lands may include areas for recreation, preservation of agricultural use, unique natural features, and wildlife and plant habitat. Public access to natural lands will be provided for, except where closure is necessary to protect areas from unacceptable degradation or impacts to agriculture, habitat or wildlife, for public safety, or limits on access necessary to preserve the quality of the visitor experience.

New Policy: Climate Change Preparation and Adaptation

To prepare open space lands and natural areas for climate change, the city and county will consider allowing or facilitating ecosystems' transition to new states in some sites and increase the stability and resiliency of the natural environment elsewhere. The city and county will measure biological indicators to identify high risk species for monitoring and/or relocations, and conduct restoration projects using arid-adapted ecotypes or species in restoration activities. The city and county will also face changes to conditions affecting visitors' experiences on open space, including safety and satisfaction in the context of climate change which will be integrated as appropriate into the Open Space and Mountain Parks Master Plan.^v

Urban Environmental Quality

3.09 Management of Wildlife-Human Conflicts

The city recognizes the intrinsic value of wildlife in both the urban and rural setting. The city will promote wildlife and land use management practices to minimize conflicts with residents and urban land uses while identifying, preserving and restoring appropriate habitat for wildlife species in the urban area. When a wildlife species is determined to be a nuisance or a public health

hazard, a full range of alternative wildlife and land use management techniques will be considered by the city and county in order to mitigate the problem in a manner that is humane, effective, economical and ecologically responsible.

3.10 Urban Environmental Quality

To the extent possible, the city and county will seek to protect the environmental quality of areas under significant human influence such as agricultural and urban lands and will balance human needs and public safety with environmental protection. The city will develop community wide programs and standards for new development and redevelopment ~~so that negativeto mitigate environmental impacts will be mitigatedto the extent possible and seek opportunities to improve urban environmental quality when practicable.~~^{vi} ~~and overall environmental quality of the urban environment will not worsen and may improve.~~

3.11 Urban Forests

The city will support, promote and, in some cases, regulate the protection of healthy existing trees and the long term health and vitality of the urban forest in the planning and design of public improvements and private development. ~~Urban canopy plays an important role in ameliorating the role of climate change.~~ The city will ~~develop an Urban Canopy Master Plan to guide short and long term urban forest management.~~^{vii} ~~encourage overall species diversity, native and low water demand tree species where appropriate.~~

3.12 Water Conservation

The city and county will promote the conservation of water resources through water quality protection, public education, monitoring and policies that promote appropriate water usage. The city will endeavor to minimize water waste and reduce water use during peak demand periods. New development and redevelopment designed to conserve water will be encouraged.

3.13 Integrated Pest Management

The city and county will encourage efforts to reduce the use of pesticides and synthetic, inorganic fertilizers. In its own practices, the city and county ~~will carefully consider when pest management actions are necessary and focus on creating healthy and thriving ecosystems to lower pest pressure by natural processes.~~ ~~When pest management is necessary, the city~~ commits to the use of ~~ecologically-based~~ integrated pest management principles, which emphasizes the selection of the most environmentally sound approach to pest management and the overall goal of reducing or eliminating the dependence on chemical pest-control strategies. When public or environmental health risks are identified, the city will balance the impacts and risks to the residents and the environment when choosing ~~managementcontrol~~ measures.^{viii}

New Policy: Soil Carbon Sequestration

The city recognizes that soil sequestration has a range of potential benefits, including water retention, soil health, and stabilization. The city and county will consider soil sequestration strategies, including land management practices that may be used to sequester carbon out of the atmosphere, and explore opportunities to incentivize carbon sequestration.^{ix}

Geologic Resources and Natural Hazards

3.14 Unique Geological Features

Due to its location at the interface of the Great Plains and the Rocky Mountains, Boulder Valley has a number of significant or unique geological and paleontological features. The city and county will attempt to protect these features from alteration or destruction through a variety of means, such as public acquisition, public land management, land use planning and regulation, and density transfer within a particular site.

3.15 Mineral Deposits

Deposits of sand, gravel, coal and similar finite resource areas will be delineated and managed according to state and federal laws. ~~Mineral deposits and other non-renewable resources will be used with the greatest practical efficiency and the least possible disturbance to existing natural and cultural resources. The use of mineral deposits and other non-renewable resources will be evaluated considering the need for these resources and other community values and priorities such as natural and cultural resource protection, community and environmental health, and carbon emission reduction. The city and county will work together to acquire mineral rights as appropriate.~~^x

3.16 Hazardous Areas

Hazardous areas that present danger to life and property from flood, forest fire, steep slopes, erosion, unstable soil, subsidence or similar geological development constraints will be delineated, and development in such areas will be carefully controlled or prohibited.

3.17 Hillside Protection

Hillside and ridge-line development will be carried out in a manner that, to the extent possible, avoids both negative environmental consequences to the immediate and surrounding area and the degradation of views and vistas from and of public areas. Due to the risk of earth movement and/or mud slides under adverse weather conditions, special attention needs to be paid to soil types and underlying geological strata during planning, design and construction of any development on or at the base of hillsides.^{xi}

3.18 Wildfire Protection and Management

The city and county will require on-site and off-site measures to guard against the danger of fire in developments adjacent to natural lands and consistent with forest and grassland ecosystem management principles and practices. Recognizing that fire is a widely accepted means of managing ecosystems, the city and county will integrate ecosystem management principles with wildfire hazard mitigation planning and urban design.

3.19 Preservation of Floodplains

Undeveloped floodplains will be preserved or restored where possible through public land acquisition of high hazard properties, private land dedication and multiple program coordination. Comprehensive planning and management of floodplain lands will promote the preservation of natural and beneficial functions of floodplains whenever possible.

3.20 Flood Management

The city and county will protect the public and property from the impacts of flooding in a timely and cost-effective manner while balancing community interests with public safety needs. The city and county will manage the potential for floods by implementing the following guiding principles: a) Preserve floodplains b) Be prepared for floods c) Help people protect themselves from flood hazards d) Prevent unwise uses and adverse impacts in the floodplain e) Seek to accommodate floods, not control them. The city seeks to manage flood recovery by protecting critical facilities in the 500-year floodplain and implementing multi hazard mitigation and flood response and recovery plans.

3.21 Non-Structural Approach

The city and county will seek to preserve the natural and beneficial functions of floodplains by emphasizing and balancing the use of non-structural measures with structural mitigation. Where drainageway improvements are proposed, a non-structural approach should be applied wherever possible to preserve the natural values of local waterways while balancing private property interests and associated cost to the city.

3.22 Protection of High Hazard Areas

The city will prevent redevelopment of significantly flood-damaged properties in high hazard areas. The city will prepare a plan for property acquisition and other forms of mitigation for flood-damaged and undeveloped land in high hazard flood areas. Undeveloped high hazard flood areas will be retained in their natural state whenever possible. Compatible uses of riparian corridors, such as natural ecosystems, wildlife habitat and wetlands will be encouraged wherever appropriate. Trails or other open recreational facilities may be feasible in certain areas.

3.23 Larger Flooding Events

The city recognizes that floods larger than the 100-year event will occur resulting in greater risks and flood damage that will affect even improvements constructed with standard flood protection measures. The city will seek to better understand the impact of larger flood events and consider necessary floodplain management strategies including the protection of critical facilities.

Water and Air Quality

3.24 Protection of Water Quality

Water quality is a critical health, economic and aesthetic concern. The city and county will protect, maintain and improve water quality within the Boulder Creek watershed as a necessary component of existing ecosystems and as a critical resource for the human community. The city and county will seek to reduce point and nonpoint sources of pollutants, protect and restore natural water system, and conserve water resources. Special emphasis will be placed on regional efforts such as watershed planning and priority will be placed on pollution prevention over treatment.

3.25 Water Resource Planning and Acquisition

Water resource planning efforts will be regional in nature and incorporate the goals of water quality protection, and surface and ground water conservation. The city will continue to obtain additional municipal water supplies to insure adequate drinking water, maintain instream flows and preserve agricultural uses. The city will seek to minimize or mitigate the environmental, agricultural and economic impacts to other jurisdictions in its acquisition of additional municipal

water supply to further the goals of maintaining instream flows and preventing the permanent removal of land from agricultural production elsewhere in the state.

3.26 Drinking Water

The city and county will continually seek to improve the quality of drinking water and work with other water and land use interests as needed to assure the integrity and quality of its drinking water supplies. The city and county will employ a system-wide approach to protect drinking water quality from sources waters to the water treatment plant and throughout the water distribution system.

3.27 Minimum Flow Program

The city will pursue expansion of the existing in-stream flow program consistent with applicable law and manage stream flows to protect riparian and aquatic ecosystems within the Boulder Creek watershed.

3.28 Surface and Ground Water

Surface and groundwater resources will be managed to prevent their degradation and to protect and enhance aquatic, wetland and riparian ecosystems. Land use and development planning and public land management practices will consider the interdependency of surface and groundwater and potential impacts to these resources from pollutant sources, changes in hydrology, and dewatering activities.

3.29 Wastewater

The city will pursue sustainable wastewater treatment processes to achieve water quality improvements with greater energy efficiency and minimal chemical use. Pollution prevention and proactive maintenance strategies will be incorporated in wastewater collection system management. The county will discourage the installation of private on-site wastewater systems where municipal collection systems are available or where a potential pollution or health hazard would be created.

3.30 Protection of Air Quality

Air quality is a critical health, economic and aesthetic concern. The city and county will seek to reduce stationary and mobile source emissions of pollutants. Special emphasis will be placed on local and regional efforts to reduce pollutants, which cause adverse health effects and impair visibility.

Potential New Resilience Strategies

The HR&A report provides the following framing and policy suggestions:

The city and county recognize natural environment investments contribute toward resilience by reducing risk and promoting stability. Additionally, urban forestry, tree planting, natural hazard mitigation, improvement of air quality, added recreational activities, and storm water mitigation activities have co-benefits.

Attachment A: Draft BVCP Policy Sections 3, 8 and 9 for POSAC Review

Policy directions about coordinated approach, vulnerable populations and resident involvement are suggested in HR&A Report and will need further review over coming weeks.

ENDNOTES

The changes to this chapter reflect work since the 2010 Plan including:

- The city currently is working on updates to its Integrated Pest Management policy, an Urban Forest Strategic Plan, the Resilience Strategy, and draft Climate Commitment.
- The city adopted the Bee Safe Resolution (2015) banning the use of neonicotinoids on city property and a Bear Protection Ordinance to secure waste from bears (2014). The county adopted a resolution to reduce and eliminate pesticide use to protect both people and pollinators (2015).
- Boulder County adopted the Environmental Resources Element of the Boulder County Comprehensive Plan (2015) and is currently working on policy related to Genetically Modified Organisms in the county.
- The city will be developing an Open Space Master Plan (2017).
- Boulder County is analyzing on how to address local oil and gas regulations, and looking at potential policy updates to better align the Fourmile Canyon Creek Watershed Master Plan (2015), Boulder Creek Watershed Master Plan (Urban Drainage and Flood Control District, 2015), and Consortium of Cities Water Stewardship Task Force Final Report (2013).
- HR&A's Recommendations for Resilience Integration (2016)

Additional County Staff Input Not Yet Incorporated:

- Suggest adding a "Watershed Health" policy. This policy would note that different influences (fires, mining, development, etc.) affect the overall health of the watershed (water quality, riparian areas, in-stream habitat, etc.), suggest that this health should be known and monitored, and acknowledge that upstream activities affect downstream conditions. It would encourage multijurisdictional and multidisciplinary efforts to assess and enhance watershed health.

Planning Board Study Session Comments 8/11/16

- City of Boulder Open Space Board of Trustees (OSBT) previously noted the importance of ensuring no policies are weakened as a result of the updates, and to avoid having policies be overly human-centric.
- Interest in seeing discussion of minerals management.
- Would like to see new policy to address groundwater impacts to surrounding properties, not just impacts of groundwater on development; wetlands and floodplain are heavily regulated but treatment of groundwater is less clear.
- Some interest in revising treatment of wetlands to reflect habitat value.
- Climate change should be a more prominent thread throughout all policies.
- Interest in addressing pesticide use more broadly than use by government entities. Initial suggested policy language, "City of Boulder discourages public and private use of pesticides."
- Change the introductory paragraph to read, "The natural environment that characterizes the Boulder Valley is the framework within which changes to the built environment take place."
- Policy 3.03- Suggest wording, "city and county will restore and protect natural ecosystems."

Attachment A: Draft BVCP Policy Sections 3, 8 and 9 for POSAC Review

- Policy 3.04- Should focus only on undeveloped land, and should refer to all lands, not just public lands.
- Carbon sequestration: Want to urge and emphasize as much as possible.
- Policy 3.28: In addition to wetlands and groundwater, consider expanding to include all subsurface resources (to include mineral resources) in an effort to strengthen protections beyond those provided by federal and state laws.

ⁱⁱ North Trail Study process clarification and better integration with Boulder County Comprehensive Plan.

ⁱⁱⁱ The city and county recognize an increasing number of urban ecosystem challenges that can be addressed by buffering. This new language is intended to provide clarification and reflects increasing practice, but could also go under emerging issues.

^{iv} Clarification of how city and county are programmatically operating – learning from best practices about an ecosystems management approach.

^v From city's Climate Commitment document.

^{vi} Clarification to existing policy.

^{vii} City is in process of developing an Urban Canopy Master Plan.

^{viii} Change reflects decades of learning and best practices to integrate Integrated Pest Management into an ecological approach to land management.

^{ix} City and county are exploring soil carbon sequestration. Also requested by public.

^x Attempting to clarify that intent of the policy is to balance relevant community values with the use of mineral deposit.

^{xi} Recommended after 2013 flood experience.

8. Community Well-Beingⁱ

*Proposed new section title: **Healthy and Socially-Thriving Community.***
Some of the following policies relating to safety will move to a new “Safe and Resilient Community” section.

The Boulder Valley, like all communities, is much more than its physical form. It is composed of people as well as the places where they live and work; it is as much a social environment as it is a physical environment. The -Boulder Valley is a center of active living, attracting residents, businesses and visitors who value community and individual health. The city and county are~~is~~ committed to continuing to be a national leader in promoting the physical health and ~~welfare~~-well-being of everyone in the community as well as promoting civil and human rights. Additionally, the city and county will strive to foster mental and social health and well-being through the cultivation of a wide-range of recreational, cultural, educational and social opportunities.

Boulder is a fluid, growing community, with changing demographics. The city and county proactively anticipate and plan for emerging demographic trends and social issues, including:

- ~~Needs of a growing older adult population and their family caregivers; Supporting the ability of a growing-~~ **older population to age well in our community;**
- **Ensuring hHealthy child and youth development** and opportunities to be contributing members of the community;
- Support~~ing and~~-inclusion of **immigrants and other culturally diverse people** into the community;
- ~~Addressing the i~~Impacts of a large **university population** on housing and other infrastructure; ~~and~~
- ~~Addressing the full range of impacts from the community’s lack of affordable housing.~~
- ~~Need for ongoing support of services and facilities for basic needs such as food, health care, shelter, child care, elder care, and education and training;~~
- ~~Support for community non-profits; and~~
- ~~Accessibility and affordability of basic health and human services.~~

In providing human services, the ~~city and county partner vision for Boulder is to~~ comprehensively create and support a ~~comprehensive~~-safety net of services and opportunities for individual and family economic mobility and self-sufficiency for residents, through coordinated regional planning, service delivery, and integrated partnerships. Generally, Boulder County provides many of the critical state and federally ~~supported~~mandated programs, entitlement programs and countywide services. The city ~~complements and augments these services and those provides services~~ identified as important to the Boulder community including a range of services from safety net services ~~to and early intervention and prevention services. to meet critical human service needs.~~

The policies in this section support the city’s and county’s goals related to:

- Human Services
- Social Equity
- Community Health
- Community Infrastructure and Facilities

Human Services

8.01 Providing for a Broad Spectrum of Human Needs

The city and county will develop and maintain human service programs that provide for the broad spectrum of human needs. ~~An emphasis will be placed on supporting best-practices and evidence-based programs that build upon community resilience through increased self-reliance and self-sufficiency. Using a resilience framework will help individuals avoid crisis and recover more quickly in emergency situations, which will in turn reduce the community's long term costs of providing services, from safety net services to early intervention and prevention programs which mitigate more costly, long-term interventions and forestall worsening social conditions.~~ Services will balance meeting emergency and short-term immediate needs with long-term solutions and supports for ~~to~~ critical social issues.

8.02 Regional Approach to Human Services

The city and county will continue ~~their~~ collaborative roles in human services planning and funding through partnerships with other agencies and local government as well as shared data and reporting that offers easy access for community residents and facilitates data-driven decision-making. ~~s.~~ The city and county will use a ~~coordinate a~~ regional approach to policy and program development, such as that articulated in the Ten-Year Plan to Address Homelessness and the Human Services Strategic Plan. The city and county will seek to build partnerships with surrounding communities and the region, which will help address the often disproportionate service burden placed on Boulder as a key regional ~~service~~ center.

[provide links or reference (below) to Boulder County's Community of Hope initiative, City of Boulder Human Services Plan]

Social Equity

8.03 Equitable Distribution of Resources

The city and county will work to ensure that ~~basic~~ human services are accessible and affordable to those most in need. The city and county will consider the impacts of policies and planning efforts on low and moderate income and special needs populations and ensure impacts and costs of sustainable decision making do not unfairly burden any one geographic or socio-economic group in the city. The city and county will consider ways to reduce the transportation burden for low income, older adult, and disabled populations, enabling equal access to community infrastructure.

8.04 Addressing Community Deficiencies

The city and county will use community feedback in conjunction with robust data resources to identify barriers to development and provision of important basic human services and will work closely with community partners to find solutions to critical deficiencies. ~~and work to find solutions to critical social issues such as lack of housing options for very low income and special~~

~~needs populations, access to and affordability of basic services, and limited availability of affordable retail products.~~

8.05 Diversity

The community values diversity as a source of strength and opportunity. The city and county will support the integration of diverse cultures and socio-economic groups in the physical, social, cultural and economic environments and promote opportunities for community engagement ~~of diverse community members;~~ and ~~promote~~ formal and informal representation of diverse community members in civic affairs.

New Policy: Youth Engagementⁱⁱ

The city and county support youth engagement and partner with organizations in the community to offer opportunities to youth for civic engagement and education and fostering innovative thinking and leadership.

Community Health

8.06 Safety

The city ~~and county will~~ promote safety by fostering good neighborhood and community relations, building a sense of community pride and involvement, and promoting safe and attractive neighborhoods. The city and county will provide police, fire protection and emergency management services and preparedness education to ensure a safe community. The city and county will adjust public safety service delivery to respond to changing community needs including demographic changes and redeveloping and urbanizing areas to support safe, livable neighborhoods and vibrant business districts.

8.07 **Physical Health and Well-Being**

The city and county strive to ensure that ~~theis~~ community continues to be a leader in promoting physical, ~~mental and social well-being health and welfare~~ of community members and will support recreational, cultural, educational, and social opportunities. The city recognizes that healthy diet and physical activity ~~areis~~ essential to individual and health and community well-being. ~~The city will support opportunities for people to exercise.~~ Neighborhood and community design will encourage physical activity by establishing easy access to parks and trails, and locating activity centers close to where people live, work and attend school. ~~The city will support community health programs such as: obesity prevention, outdoor education, safe routes to school, and healthy eating.~~

New Policy: Resilience in Public Safety and Risk Prevention

The city and county will provide focused efforts around public safety risk prevention and early intervention. Working with the community, the city and county will strive to prepare all segments of the community for uncertainty and disruptions by encouraging community and individual preparedness and creating a culture of risk awareness.

New Policy: Community Connectivity and Preparednessⁱⁱⁱ

The city and county will support fostering social and community connectivity and communications which promote well-being, deepen a sense of community and encourage civic

participation and empowerment. The city and county recognize that supporting connections in the community furthermore enhances preparedness and improves the ability to respond and recover when emergencies happen.

Community Infrastructure and Facilities

Elementary and Secondary Schools

8.08 Planning for School Sites and Facilities

The city and county will assist the Boulder Valley School District in its planning efforts to assure that the number, size and location of school lands and facilities is adequate to serve the population for the foreseeable future. The city and county will consider current and projected school enrollment and available school capacities when approving the type, scale and timing of residential development. The city and county will work with the school district to consider transportation impacts when planning for school sites and facilities.

8.09 Accessibility to Schools

The city and county will work with the Boulder Valley School District to develop safe and convenient pedestrian, bicycle and transit access for students to existing and new schools. New school facilities will be located so that school-age children have the opportunity to arrive safely on their own.

Community Facility Needs

8.10 Support for Community Facilities

The city and county recognize the importance of educational, health, cultural and non-profit community agencies that provide vital services to the residents of the Boulder Valley and will work collaboratively with these agencies to reasonably accommodate their facility needs and consider location based on transportation accessibility or other needs.

Parks and Trails

8.11 Parks and Recreation

The city and county recognize park and recreation facilities provide one of the most effective ways to build people's sense of community and quality of life throughout the city, especially in redeveloping areas and in the revitalization of neighborhoods. Parks and Recreation programs and facilities will continue to provide for a well-balanced and healthy community by providing a range of activities that support mental and physical health through high-quality programs and services that meet the needs of the community. Such facilities and services will be designed in a manner that responds to the needs of the intended users.

~~Park and recreation facilities and services of the city or other service entities will provide an adequate range of exercise and recreational opportunities for residents. Such facilities and services will be designed in a manner that responds to the needs of the intended users. City park and recreation facilities will provide a variety of landscape types as amenities and recreational resources for urban dwellers, including irrigated green spaces, low water need plantings and natural vegetation areas.~~

New Policy: Parks as Gathering Spaces

The city will strive to ensure Boulder's public green spaces among residential areas are gathering places for neighbors and community members to build relationships and social ties that encourage safety and support within neighborhoods. These spaces will be planned and managed to remain clean, open, safe and accessible to neighbors and build strong social capital which is the backbone of a resilient and engaged community.

8.12 Trail Functions and Locations

Trails serve a variety of functions such as exercise, recreation, transportation, education and/or environmental protection. Trails should be designed and managed to minimize conflicts among trail users. Trailheads should be located so they are convenient and safe for those arriving by alternate modes of transportation as well as automobiles. In order to provide environmental protection, informal trails and user widening of trails should be discouraged by ensuring that formal trails are well designed, monitored and adequately maintained. Trail and trailhead locations and alignments should avoid environmentally sensitive areas and minimize environmental impacts.

8.13 Trails Network

The city and county will coordinate with other trail providers and private landowners in trail system planning, construction, management and maintenance. Where compatible with environmental protection goals and conservation easement agreements, trail connections will be developed to enhance the overall functioning of the trails network.

Culture

8.14 Libraries

Library facilities and services of the Boulder Valley will be responsive to the needs of all populations, providing an adequate range of informational, educational and intellectual opportunities for all residents.

8.15. Information Resource/Community Center

The city will provide access to information through a variety of formats providing materials, technology and services to enhance the personal development of the community's residents. In its role as the community's public and civic information center, the library will provide venues for community group meetings and resources and services to meet the needs of the community's multicultural and special populations. Other community gathering spaces and information sources include the city and county websites, municipal buildings, and recreation and senior centers.

8.16 Education Resource

The city will seek to provide educational, cultural and literacy resources and opportunities services for the community. The city will develop and maintain resources to assist learners and students of all ages, including support for formal education programs, and provide public workspaces and independent learning resources. The city will develop collaborative relationships with community educational institutions and function as a research center for residents.

8.17 ~~Performing and Visual Arts and Cultural Facilities~~

~~The city and county recognize the ability of cultural facilities and activity to positively contribute to community members' well-being and sense of community. The city and county, recognizing the need to enhance the personal development of the public and to build a sense of community by providing for cultural needs, will encourage the provision of venues and facilities for a wide range of the performing and visual arts and cultural expression, and the provision of art in public buildings and spaces.~~

8.18 ~~The Arts and Community Culture (reverse order of 8.17 and 8.18)~~

~~The city and county recognize and support the arts and community members' easy access to cultural experiences. Arts and culture advance civic dialogue, awareness and participation, contribute to people' authentic expression of diversity and promote community inclusion. They are central to the cultural life for children, youth and adults of the Boulder community and a clean industry that contributes significantly to the Boulder economy. They present significant quality of life advantages to the Boulder community through education, entertainment and the aesthetic environment and The city and county will encourage a rich mix of cultural offerings by supporting cultural organizations, artists and creative professionals, the expression of culture and creativity in the public realm and Boulder's cultural destinations. provide a vehicle to bring together people of all walks of life and diverse ages, genders, religions, abilities, opinions, races, ethnicities, classes, and economic means for better communication and mutual understanding.~~

8.19 Public Art

~~The city and county recognize the importance of public art and the environmental vibrancy it instills. The city and county will build a high-performing public art program to encourage the installation of art in public buildings and spaces.~~

~~The city and county will incorporate artistic elements in public projects whenever possible.~~

8.20 ~~Canyon Boulevard Cultural Corridor~~

~~The city will encourage public and private projects within the Canyon Boulevard Cultural Corridor to have an arts focus and to incorporate public art.~~

ENDNOTES

ⁱ ~~The changes to this chapter reflect work since the 2010 Plan including:~~

- ~~• Human Services Strategy (in progress)~~
- ~~• Homelessness Strategy (in progress)~~
- ~~• HR&A's Recommendations for Resilience Integration (2016)~~
- ~~• Community Cultural Plan (2015)~~
- ~~• Parks and Recreation Master Plan (2013)~~
- ~~• Fire-Rescue Master Plan (2011)~~
- ~~• Police Master Plan (2013)~~

ⁱⁱ ~~Revisions based on Human Services Strategy guiding principles for human services delivery~~

ⁱⁱⁱ ~~On-going emphasis around youth engagement through YOAB, GUB, and recommendations in Community Cultural Plan Strategies.~~

9. Agriculture and Foodⁱ

The proposed new section “Healthy and Socially Thriving Community” will include agricultural and food policies relating to a healthy, socially thriving community.

The proposed new section “Environmentally Sustainable Community” will include agriculture and food policies relating to land and environment

~~A strong local food system can positively impact the resiliency, health, economy and environment of the Boulder Valley and surrounding region. Food choices and their method of production represent one of the most significant impacts that humans have on the quality of our livesworld around us. A strong local food system can positively impact the resiliency, health, economy and environment of the Boulder Valley and its surrounding areas. Sustainable rural and urban agricultural practices and efficient short distances to transport of food can help reduce energy used to feed the community. Access to healthysafe food, including locally grown food for all Boulder residents is a top priority for our community. It is important that suchhealthy food be available to individuals and families in all neighborhoods, regardless of economic situation and location.~~

~~Roots in progressive food movements run deep in Boulder County and have contributed to the dynamic and thriving natural foods industry. Many local restaurants specialize in providing local ingredients in their food, garden to table processes have been developed in local schools, and the desire for a year round farmers market are all indications of people’s growing interest and demand for locally produced food.~~

The city and county have made significant contributions to the preservation of lands suitable for agricultural production, and the water needed to use these areas for agriculture. Most agricultural production in the Boulder Valley occurs on city and county open space.

The following policies on agricultural~~le~~ and ~~access to local~~ food ~~systems~~ guide public policy and decision-making ~~in to move~~ our community.

- Support for Agriculture
- Urban Gardening and Food Production
- Sustainable Food Production~~Agricultural~~ Practices
- Access to Healthy Food
- Regional Efforts to Enhance the Food System

9.01 Support for Agriculture

The city and county ~~will~~ encourage the preservation of working agricultural lands, and sustainable production of food on them ~~use of agricultural lands as a current and renewable source of food and feed and for their contribution to the degree they provide~~ cultural, environmental, ~~and economic diversity~~ and resilient benefits to the community. These ~~uses~~ areas are important for preserving the rural character of Area III. The success of agriculture on these

lands is vitally dependent on their water supplies. The city and county will demonstrate and encourage the protection of significant agricultural areas and related water supplies and facilities, including the historic and existing ditch systems, through a variety of means, which may include public acquisition, land use planning, and sale or lease of water for agricultural use. The city and county will support farmers and ranchers in this area as they negotiate the challenges of operating in a semi-arid environment that is often ~~and~~-near residential areas.

9.025 Urban Gardening and Food Production

The city will encourage community and private gardens to be integrated in the city. City incentives include ~~This may include allowing flexibility and/or helping to remove restrictions for food production and sales on private lands, in shared open spaces and public areas, and encouraging rooftop gardens and composting and planting edible fruit and vegetable plants where appropriate.~~

9.02 Local Food Production

The city and county will encourage and support local food production to improve the availability and accessibility of healthy foods and to provide other educational, economic and social benefits. The city and county support increased growth, sales, distribution and consumption of foods that are healthy, sustainably produced and locally grown for all Boulder Valley residents with an emphasis on affordable access to food for everyone and long term availability of food.

9.03 Sustainable Food Production Agriculture Practices

The city and county will promote sustainable agricultural food production practices on publicly owned lands and will encourage them on private lands. Sustainable practices include food production methods that are healthy, have low environmental impact, integrate ecological conservation objectives, responsibly use water and protect its quality, provide for pollinator and beneficial insect habitat, are respectful to workers, are humane to animals, provide fair wages to farmers, integrate whole farm planning, and support farming communities. These can include a range of production types that take into account land suitability, water availability, invasive species, energy use and labor and capital needs. The city and county will also promote sustainable agriculture by recognizing the critical importance of delivering irrigation ditch water to agricultural lands.

9.04 Access to Healthy Food

The city will support cooperative efforts to establish community markets throughout the community and region. Such efforts include working to identify a location or develop facilities to allow one or more year-round farmers' markets, supporting sales of produce from small community gardens and working with local partners on food programs. The city and county support increased growth, sales, distribution and consumption of foods that are healthy, sustainably produced and locally grown for all Boulder Valley residents with an emphasis on affordable access to food and long term availability of food.

9.054 Regional Efforts to Enhance the Food System

The city and county will participate in regional agricultural efforts and implement recommendations at a local level to the extent appropriate and possible.

9.05 Urban Gardening and Food Production

The city will encourage community and private gardens to be integrated in the city. This may include allowing flexibility and/or helping to remove restrictions for food production in shared

~~open spaces and public areas, encouraging rooftop gardens and composting and planting edible fruit and vegetable plants where appropriate.~~

~~9.06 Access to Locally Produced Food~~

~~The city will support cooperative efforts to establish community markets throughout the community and region. Such efforts include working to identify a location or develop facilities to allow a year round farmers market and support sales of produce from small community gardens.~~

ENDNOTES

ⁱ The changes to this chapter reflect work since the 2010 Plan including:

- Agriculture Resources Management Plan (in progress)
- City of Boulder Water Efficiency Plan (2016)
- HR&A's Recommendations for Resilience Integration (2016)
- 2015 State of Colorado Water Plan (2015)
- Boulder County Environmental Element (2014)
- Parks and Recreation Master Plan (2012)
- City of Boulder Source Water Master Plan (2009)
- Ordinances and policy changes to promote local food sales
- Boulder County Cropland Policy (2011)



Parks and Open Space

5201 St. Vrain Road • Longmont, Colorado 80503
303.678.6200 • Fax: 303.678.6177 • www.bouldercounty.org

PARKS AND OPEN SPACE ADVISORY COMMITTEE

TO: Parks & Open Space Advisory Committee

TIME/DATE: 6:30 p.m., Thursday, August 25th, 2016

LOCATION: Commissioners Hearing Room, 3rd floor, Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

AGENDA ITEM TITLE: Reptile and Amphibian Diversity Inventory, and Rattlesnake Telemetry Study Results- Rabbit Mountain

PRESENTER: Joseph Ehrenberger, Vernalis Environmental
Thomas Mathies, Rocky Mountain Biological Services

ACTION REQUESTED: *Information only*

As part of a small grant funded by BCPOS in 2015, **Joe Ehrenberger** conducted a general inventory of amphibian and reptile species present at Rabbit Mountain. His discoveries included an impressive number of species, as well as documentation of a northernmost range for Lined snake, that was previously unknown.

Also as part of a small grant funded by BCPOS in 2015, **Tom Mathies** conducted a telemetry study on prairie rattlesnakes at Rabbit Mountain. Tom tracked 15 externally transmitted rattlesnakes to their winter dens.



Parks and Open Space

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PARKS AND OPEN SPACE ADVISORY COMMITTEE MEETING

TO: Parks & Open Space Advisory Committee

DATE AND LOCATION: Thursday, 8/25/2016, 6:30 p.m. Commissioners Hearing Room, 3rd floor Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

AGENDA ITEM TITLE: Renewal of Boulder County and City of Boulder Jointly-Owned Open Space Management Intergovernmental Agreement

PRESENTER: Ron Stewart, Director

ACTION REQUESTED: Recommendation to BOCC

Introduction

In 2005 Boulder County and the City of Boulder entered into an intergovernmental agreement (IGA) that formally clarified the management authority and responsibility of nine jointly-owned open space properties. The agreement had a ten-year term which expired last October. The purpose of the IGA was to designate a lead agency for each of the properties in order to efficiently manage them and to provide the public with a clear understanding of which department governed them in accordance with their unique open space rules and regulations. Staffs from both agencies have been working to renew the IGA because both departments believe it has been successful. This item will be heard at an upcoming City Open Space Board of Trustees meeting and will ultimately need approval from both Boulder City Council and the County Commissioners.

Discussion and Summary

The IGA designated a lead management agency for nine jointly-owned properties totaling 3501 acres. Given the geographic distribution of the properties and the adjacency of existing open space ownership, City of Boulder Open Space and Mountain Parks (OSMP) managed three properties, Beech, Foothills Business Park, and Superior Associates (a.k.a. Telleen) which total 2222 acres, while BCPOS managed six totaling 1279 acres. The IGA directed that City open space rules and regulations prevail on Beech and Superior Associates while BCPOS would govern the other seven. In addition, the management costs, as well as lease income, for each property would be the responsibility of the lead agency. Land management responses to natural disasters would be addressed by both agencies for the affected properties. The IGA stipulated that management plans would be developed and updated for each property by the lead agency and those plans have been completed. As additional plans are proposed by the lead agency for the properties (e.g. the North Trail Study Area plan), the other party had, and would have, an opportunity to review and comment on those plans. In addition, property management would reflect the purposes for which the two agencies purchased the properties in the first place. Finally, there are some real estate transactions related to the Beech property which are necessary in order to fulfill the

commitments of the purchase agreements and which will formalize the joint ownership of the entire property.

In this proposed renewal of the IGA, some added language is provided in order to re-affirm the two agencies commitments to the protection and conservation of significant environmental resources identified by both the Boulder Valley Comprehensive Plan and the Boulder County Comprehensive Plan. Apart from increasing the length of the term of the IGA from 10 to 20 years, other changes to the previous version are minor corrections.

Analysis

BCPOS and OSMP approve of a renewal of the IGA with minor recommended changes. The IGA has allowed both agencies to efficiently manage properties that were jointly-acquired for mutually beneficial reasons.

Public Process

This meeting is the first opportunity for the public to review and comment upon this item. There will be three additional public meetings on this agreement as it moves through the approval process.

Recommendation

Staff recommends that POSAC recommend that the Board of County Commissioners approve and renew the Boulder County and City of Boulder Jointly-Owned Open Space Management Intergovernmental Agreement.

Attachments

Draft Boulder County and City of Boulder Jointly-Owned Open Space Management Intergovernmental Agreement and associated attachments.

BOULDER COUNTY AND CITY OF BOULDER JOINTLY OWNED OPEN SPACE MANAGEMENT INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) by and between the City of Boulder, a Colorado home-rule municipal corporation (the “City”) and the County of Boulder, a body corporate and politic of the State of Colorado (the “County”) (collectively the “Parties”) is made and entered into on this ___ day of _____, 2016.

WITNESSETH

WHEREAS, pursuant to §§ 29-1-203 and 30-11-410, C.R.S. as amended, local governments may cooperate or contract with one another to provide any function or service lawfully authorized to each of the cooperating or contracting units when such agreements are authorized by each Party to the agreement with the approval of the governing body and are encouraged to cooperate to promulgate regulations regarding the use and provision of regulatory enforcement for land within their respective ownerships and jurisdictions; and

WHEREAS, the Parties jointly own certain open space properties identified in Exhibit A attached hereto and incorporated herein by reference (“the Properties”) and as legally described in Exhibit B attached hereto and incorporated herein by reference, and agree that it is in the best interest of the Parties and the citizens of the City and the County to further clarify their responsibilities with respect to management of the Properties; and

WHEREAS, the Parties intend to improve management of jointly owned open space by identifying a lead agency (“Lead Agency”) for each of the Properties and to provide that the Lead Agency’s rules, regulations, policies and plans shall control for those Properties to which it has been entrusted with management authority. The Lead Agency shall be either the City of Boulder’s Open Space & Mountain Parks Department (“OSMP”) or Boulder County’s Parks & Open Space Department (“BCPOS”); and

WHEREAS, the Parties wish to affirm their existing and successful management relationship on jointly owned properties;

WHEREAS, the parties seek improved alignment in their vision of ecological conservation and are examining updates to the Boulder Valley Comprehensive plan that would protect and restore significant native ecosystems by including an emphasis on county species of special concern, critical wildlife habitats/migration corridors, environmental conservation areas, high biodiversity areas, rare plant areas, and significant natural communities as described in the Environmental Resources Element of the Boulder County Comprehensive Plan; and

WHEREAS, to the extent of any conflict, this Agreement shall replace the conditions of all previous agreements between the Parties relating to the identification of a lead land management entity and the handling of property management and management expenses or revenues, as well as regulatory or policy jurisdiction, such as

purchase agreements, management plans and/or conservation easements for the following properties:

- Beech/Beech Aircraft
- Cito Company
- Erin Arsenault (aka Mayhoffer/Singletree)
- Foothills Business Park
- IBM (aka IBM-Monarch)
- Imel
- Suitts (aka Suitts North)
- Superior Associates (aka Telleen); and
- Turunjian

NOW THEREFORE, in consideration of the above recitals and the mutual covenants and commitments herein, the Parties agree as follows:

I. Properties

The Properties shown on Exhibit A shall be managed in accordance with the terms and conditions of this Agreement. The Lead Agency for each of the Properties shall be as indicated on Exhibit A and set forth below:

<u>City of Boulder Open Space and Mountain Parks Management</u>	<u>Approximate Acreage</u>
Beech/Beech Aircraft.....	1,197
Foothills Business Park.....	70
Superior Associates (Telleen).....	955
Total Approximate Acreage (City Lead	2,222

<u>Boulder County Parks and Open Space Management</u>	<u>Approximate Acreage</u>
Cito Company	148
Erin Arsenault (Mayhoffer/Singletree).....	169
IBM – Monarch.....	186
Imel	576
Suitts	142
Turunjian.....	58
Total Approximate Acreage (County Lead).....	1,279
Total Approximate Acreage Joint Fee Ownership Properties	3,501

II. Property Use

Use of the Properties shall be consistent with the purpose of existing acquisition agreements and in accordance with an approved management plan for each of the Properties.

III. Property Management

A. Rules, Regulations, Policies, and Plans

The rules, regulations, policies, and plans of the Lead Agency, as the Lead Agency is identified in Exhibit A shall apply to each open space property jointly owned by the Parties. Notwithstanding the designation of a Lead Agency, the Parties shall retain their respective rights and responsibilities of land use review as otherwise provided by law. To the greatest extent possible, the Lead Agency management plan shall be consistent with existing conservation easements. In addition, neither Party shall accept any grant or other approval that encumbers or obligates the property unless it first obtains the written consent of the other Party.

B. Property Management Plan

A plan describing the ecological, agricultural and recreational management of the Properties has been created and approved by appropriate staff for each of the Properties by the respective Lead Agency.. The Party that is not the Lead Agency for any individual Property shall be provided with notice as to any subsequent draft management plan and the opportunity to comment upon the draft before such plan is finalized, and shall give good-faith consideration to the other Agency's comments. A Lead Agency may amend a management plan, provided that it shall first allow an opportunity for comment and consultation to the other party, and shall give good-faith consideration to the other Party's comments.

C. Management Costs

Property management expenses, including but not limited to maintenance and capital improvement costs, if any, shall be the responsibility of the Lead Agency. The Lead Agency will be entitled to the fees and revenues generated from all activities on Properties under its management, including but not limited to agricultural leases.

Meetings between the Parties may be held from time to time to discuss property improvements and funding needs. The cost of major property improvements shall be shared to the degree and in the amount agreed to in separate written agreements between the Parties.

In the event of any flood, fire or wind damage, or other catastrophic event on any Property, expenses or costs of restoration of the Property will be evaluated on a situation by situation basis and the Parties will meet to explore efficiencies and determine the appropriate, timely and mutually acceptable resolution.

D. Enforcement

Patrol and enforcement of rules, regulations, policies and plans shall be the responsibility of the Lead Agency or its assigns.

IV. NOTICE

Any notice sent from one Party to another pursuant to this Agreement shall be in writing and addressed as follows:

To Boulder County: Director of Parks and Open Space Department
 Boulder County
 P.O. Box 471
 Boulder, CO 80306

With a Copy to: Boulder County Attorney
 P.O. Box 471
 Boulder, CO 80306

To the City: Boulder City Manager
 P.O. Box 791
 Boulder, CO 80306

With a copy to: Boulder City Attorney
 P.O. Box 791
 Boulder, CO 80306

V. LIABILITY

Subject to the provisions of the Colorado Governmental Immunity Act, each Party assumes liability for injury to person and damage to property arising out of its occupancy and maintenance of the sites. Nothing contained in this Agreement shall constitute any waiver by the City or the County of the provisions of the Colorado Governmental Immunity Act or any other immunity or defense provided by statute or common law.

The City and the County certify that they are self-insured for property and general liability coverage's including errors and omissions to the limits set forth in the Colorado Governmental Immunity Act.

Each Party agrees to notify the other of any defects or potential defects, dangerous conditions or potential dangerous conditions, claims or potential claims from damage or injury that come to its attention in connection with its usage. Within fifteen (15) days after any litigation commenced against either Party that contains allegations against the other, the Parties will meet to explore efficiencies and determine the course of action in providing a defense, including, but not limited to, the potential for a joint defense.

The Lead Agency shall be solely responsible for any costs or liabilities arising out of environmental conditions (such as hazardous waste contamination) that have been created or exacerbated by the conduct of the lead agency.

VI. AMENDMENTS

This Agreement contains the entire agreement of the Parties and any amendment may take place only upon the approval adopted by the governing body of each of the Parties after notice and hearing as required by law, other than those management plan amendments delegated to staff in Section III. B.

VII. SEVERABILITY

If any portion of this Agreement is held by a court of competent jurisdiction to be unenforceable as to any Party, the entire Agreement shall be terminated, it being the understanding and intent of the Parties that every portion of the Agreement is essential to and not severable from the remainder.

VIII. BENEFICIARIES

The Parties, in their corporate and representative governmental capacities, are the only entities intended to be the beneficiaries of the Agreement and no other person or entity is so intended or may bring any action, including a derivative action, to enforce the Agreement.

IX. GOVERNING LAW AND VENUE

This Agreement shall be governed by the laws of the State of Colorado, and venue shall lie in the County of Boulder. To the extent that any local law or ordinance of either Party conflicts with the provisions of a Lead Agency management plan, the local law or ordinance shall not be applied and an exemption in such local law or ordinance shall be in effect. To the extent of any conflict, Lead Agency management plans authorized by this Agreement shall supersede the terms of any conservation agreement applicable to the properties that are the subject of this Agreement, provided however that there shall be no waiver or estoppel of either party's ability to enforce any conservation agreement upon termination of this Agreement, and any period of limitations shall be tolled during the term of this Agreement.

X. WAIVER OF BREACH

A waiver by any Party of the breach of any term or provision of this Agreement shall not operate to be construed as a waiver of any subsequent breach by either Party.

XI. AGREEMENTS

Nothing in this Agreement shall affect any other agreements between the City and the County now in effect but shall replace, void, and supersede any and all existing or former joint maintenance language, management delegation, management expenses, and

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lease revenues contained in the specific purchase agreements and conservation easements listed in Paragraph I of this Agreement.

XII. TERM AND EFFECTIVE DATE.

This Agreement shall become effective upon the date set forth above after signature of an authorized representative of the governing bodies of each of the Parties. The term of this Agreement shall be twenty years from its effective date. The Agreement may be renewed or terminated only upon the mutual written agreement of the Parties.

WHEREFORE, the Parties have entered into the foregoing Agreement to be effective on the date first above written.

CITY OF BOULDER

By: _____
Mayor

ATTEST:

City Clerk on behalf of the Director
Of Finance and Record

Approved as to Form:

City Attorney's Office

Date: _____

COUNTY OF BOULDER
Board of County Commissioners

Chair

ATTEST:

Clerk to the Board

Approved as to Form:

Ben Pearlman
County Attorney

Date: _____

EXHIBIT B

Legal Descriptions of the Properties

Beech/Beech Aircraft
Cito Company
Erin Arsenault (aka Mayhoffer/Singletree)
Foothills Business Park
IBM (aka IBM-Monarch)
Imel
Suitts (aka Suitts North)
Superior Associates (aka Telleen)
Turunjian