



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 October 27, 2016

The meeting was called to order at 6:30 p.m. by Eric Hozempa in the Hearing Room of the Board of Commissioners, Third Floor, Boulder County Courthouse, Boulder, Colorado.

POSAC Members in Attendance

Present: Jenn Archuleta, Sue Cass, Cathy Comstock, Eric Hozempa, Jim Krug, James Mapes, Scott Miller, John Nibarger, and Gordon Pedrow

Excused:

Staff in Attendance

Janis Whisman, Renata Frye, Conrad Lattes, Vanessa McCracken, Jennifer Kemp, Adrian Card, Rob Alexander, Richard Dabbs, Therese Glowacki, Chase Dryden, and Jeff Moline

Approval of the September 22, 2016 Meeting Minutes

Action Taken: Jenn Archuleta moved to accept the September 22 minutes. Gordon Pedrow seconded the motion. Motion carried unanimously [Eric Hozempa abstained because he was not at the September meeting].

Public Participation - Items not on the Agenda

- Steve Watts, 2670 13th St., Boulder

Canino-7M Ranch-2016 Transportation ROW Taking

Staff Presenter: Janis Whisman, Real Estate Division Manager

Public Comments:

- Amy Strombotne, 8502 Stirrup Ct., Boulder County

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

Transition Plan for Genetically-Engineered Crops on Boulder County Parks & Open Space Properties

Staff Presenter: Jeff Moline, Agricultural Resources Manager

Public Comments:

- Vicky Schlagel, 1260 CR 201/2, Longmont
- Rodney Perry, 7555 E. Hampton, Denver
- Scott Schlagel, 1260 CR 201/2, Longmont
- Paul Schlagel, 1260 CR 201/2, Longmont
- Tom Schwartz, 800 Grant St., Denver
- Artie Elmquist, 3642 Bella Rosa Pkwy., Longmont
- Rich Koopman, 2102 Redfield Cir., Longmont
- Terry Parrish, 1572 Parrish Rd., Berthoud
- Richard Andrews, 6803 Jay Rd., Boulder
- David Wheeler, 3660 Buckeye Ct., Boulder
- Elizabeth Black, 4340 N. 13th St., Boulder
- Amy Strombotne, 8502 Stirrup Ct., Boulder County
- Dan Listo, 6936 Jay Rd. Boulder

Action Taken:

POSAC members asked to have three months to consider the plan, and to allow more time to receive additional data related to the transition plan. Jeff Moline agreed to present POSAC's request for more time to the BOCC. Staff will bring to POSAC an update at the November 17, 2016 meeting.

Director's Update [presented by Jeff Moline]

- Staff successfully burned 75 acres at Heil Valley Ranch. All future prescribed burns are on hold due to the County's fire ban.
- The forestry project at Betasso is underway. It is expected to take 20-30 days. Betasso will be closed Mondays through Fridays until the work is completed.
- Planning and engineering work has begun to look at options for the Boulder Creek Path to ultimately extend the path to Chapman Drive with connection to Betasso from the Four Mile-Boulder Canyon area.
- The Planning Commission tabled the approval of the Open Space Element until work is complete on maps that address scenic values. Staff expects to bring the full packet to POSAC for approval in January, 2017.
- Longmont formally approved granting conservation easements to the county, which covers six of their open space properties.
- Boulder County, City of Louisville, and City of Lafayette have been in talks to purchase the Mayhoffer property for open space. The Mayhoffer property is located between Louisville and Lafayette. Louisville is the lead partner. To date, an agreement on price has not been reached, so the landowner is exploring development options. This

property is covered in the Louisville-Lafayette Buffer IGA. We are still hoping to reach an agreement to acquire the property.

Adjournment

The meeting adjourned at 9:45 p.m.

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



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 MEETING

DATE: Thursday, October 27, 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 September 22, 2016 Meeting Minutes**
- 2. **Public Participation - Items not on the Agenda**
- 6:40 3. **Canino-7M Ranch-2016 Transportation ROW Taking**
Staff Presenter: Janis Whisman, Real Estate Division Manager
Action Requested: Recommendation to BOCC
- 6:50 4. **Transition Plan for Genetically-Engineered Crops on Boulder County Parks & Open Space Properties**
Staff presentation: 20 minutes, plus discussion and questions
Staff Presenter: Jeff Moline, Agricultural Resources Manager
Action Requested: Discussion Item with Public Comment - Recommendation to BOCC anticipated at November 17 POSAC meeting
- 9:50 5. **Director's Update**
- 9:55 6. **Adjourn**

Available staff memos & related materials for this meeting may be viewed on our website:
www.BoulderCountyOpenSpace.org/POSAC



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 MEETING

TO: Parks & Open Space Advisory Committee

DATE AND LOCATION: 6:30 p.m., Thursday, October 27, 2016, Commissioners Hearing Room, 3rd floor Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

AGENDA ITEM TITLE: Canino-7M Ranch-2016 Transportation ROW Taking (for Countyline Road Bridge Repair)

PRESENTER: Janis Whisman, Real Estate Division Manager

ACTION REQUESTED: Recommendation to the BOCC

Summary

Boulder County's Transportation Department (Transportation) 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 west side of East County Line Road at Boulder Creek. Transportation intends to use the parcel for improvements to protect the bridge that spans Boulder Creek.

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.

Since the 2013 Flood, Transportation has determined that work is necessary to better protect the East County Line Road bridge over Boulder Creek. On the west side, the county's interest in the Canino-7M Ranch conservation easement will be taken along with the underlying fee interest that Transportation will take from the Caninos. Transportation performed an appraisal of the land and determined the easement over the ¼ acre to be worth \$3,015, which the Caninos and Boulder County consider reasonable. The county will receive 2/3 of that amount, or \$2,010, because the conservation easement is worth 2/3 of the property value. Caninos will receive the other \$1,005.

Summary of Taking

Acreage	Per acre price	Value of Taking	Proceeds Ratio	Disposition breakdown
0.251	\$12,012	\$3,015	1/3 to Caninos 2/3 to County	\$1,005 to Caninos \$2,010 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 conservation easement 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 Transportation’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. Transportation has condemnation authority over private property owners such as the Caninos, so Parks and Open Space cannot prevent Transportation 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 Transportation in condemnation situations, rather than require the full formal condemnation process that is more costly and time-consuming for both parties.

POSAC Action Requested

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





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, Oct. 27th

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

AGENDA ITEM TITLE: Transition Plan for Genetically-Engineered Crops on Boulder County Parks & Open Space Properties

PRESENTER: Jeff Moline, Agricultural Resources Manager

ACTION REQUESTED: Discussion Item with Public Comment—Recommendation to BOCC anticipated at November 17 POSAC meeting

Background

The Boulder County Parks and Open Space Cropland Policy, adopted on December 20, 2011, lays out the framework for realizing Boulder County's vision to be a leader in sustainable agriculture. Section 6.1 of the Cropland Policy approved the use of genetically engineered (GE) crops for a period of five years on agricultural lands leased from Boulder County with specific protocols. The approved GE crops are corn and sugar beets—both genetically engineered for glyphosate resistance—and corn, genetically engineered with Bt (*Bacillus thuringiensis*).

On February 29, 2016, the Board of County Commissioners (BOCC) and the Parks and Open Space Advisory Committee (POSAC) held a public hearing and received input on whether to continue or change the current approval that allows the use of certain genetically engineered crops on open space lands. On March 15, 2016, POSAC voted 5-3 to recommend to the BOCC that Boulder County continue to allow GE crops to be grown on a segment of county-owned agricultural land, but to carefully monitor the science and impacts of them on soil, bees, water, and other environmental factors and to continue to promote organic farming. The other motion passed (unanimously) at that meeting directed the County to explore agricultural research on Boulder County agricultural land, in conjunction with Colorado State University and other organizations.

At their hearing on March 17, 2016, the BOCC directed staff to develop a transition plan for phasing out the use of herbicide-resistant GE corn and sugar beets on county-owned agricultural lands within a time frame of three to seven years, and for staff to bring a recommendation on the transition plan back for consideration as soon as practicable. Additionally, the BOCC expressed a preference for phasing out the use of neonicotinoids and greatly reducing the use of herbicides and pesticides on county-owned open space lands.

Overview of GE crops on Parks & Open Space properties

Boulder County leases about 25,000 acres of agricultural land to tenants. Of that, about 16,000 acres is cropland—i.e. used primarily for irrigated and dryland crops and irrigated pasture lands. At the beginning of the 2016 growing season, thirteen tenants intended to plant 1,979 acres with GE crops, about 12% of the total cropland. Of the two crops, GE corn acreage typically comprises about 70% of total GE crops, averaging around 1200 acres annually (ranging from 2,307 acres in 2011 to 1,044 acres in 2015). The number of acres planted in GE sugar beets ranged from 494 (2012) to 135 (2015). Planted acres vary year-to-year due to a combination of factors including crop rotation regimes that include both public and private land, weather, and market conditions.

While GE croplands do not constitute a majority of the County's agricultural acreage, they do provide important income for both POS and tenants accounting for 18% of the gross rental income, which in 2015 was total \$1,217,689 for the entire program. When crop share inputs are considered, the net income of GE crops is also 18% of the total net income of crop shares in 2015—\$88,289 of \$500,833. Given the acreage differences between corn and beets, unsurprisingly, GE corn brings in more net income than sugar beets \$62,712 and \$25,577 respectively out of the total net ag lease program income of \$989,263. The POS department invests those proceeds back into agricultural properties for maintenance and infrastructure improvements through projects in its capital improvement plan. Many of those capital expenditure funds are in turn leveraged with grants and partnerships. Although often allocated back to the properties that provide the majority of the revenue and income, Boulder County has invested over \$830,000 in organic and market farm improvements on open space properties since 2012. Most of these improvements are infrastructure in support of irrigation, such as holding ponds, electric service, pipes and ditch improvements.

Also important to this discussion is the effect and impact of GE crops on the resources of the properties. More extensive soil and water sampling began in 2015 and continued this year. While too early to show trends, none of the tests showed significant issues associated with GE crops or their cultivation or production.

Developing the GE Transition Plan

Due to the importance of GE crops to some of our current tenants, staff has drafted the transition plan to slowly phase out glyphosate-resistant corn and beets over a period of years. Because conventional corn seed is still utilized in farming, staff has anticipated that a transition away from GE corn can be accomplished within a three-year timeframe. Due to challenges associated with sugar beets and their production, staff recommends a longer transition period—five years. The plan spells out a variety of restrictions to limit the use of GE crops during the life of the plan.

The other components of the plan outline ways that the County can facilitate this transition. These include policies that would specifically apply to tenants affected by this change. Another section lists the existing POS incentives for all tenants in the ag lease program. Also mentioned is the effort to collect resource data and management information in order to monitor the factors related to soil and water health as outlined in the Cropland Policy. Finally, the last portion of the plan describes a proposed research initiative that would be run by Boulder County Parks and Open Space in conjunction with CSU Extension staff. This would tap into an innovative partnership of the Rodale Institute and CSU to provide on-the-

ground research and demonstrations of climate-smart, sustainable agriculture tailored to the conditions and geography of Boulder County.

Public Process

POS staff will first formally present the GE Transition Plan to the public at an open house on Monday, Oct. 24, 6 p.m. Staff will summarize and review the public comments received at that meeting as well as any others provided to the department. This first POSAC meeting will be an opportunity for the committee to review and discuss the plan and for the public to provide comments. At their regular November meeting (the 17th at 6:30 p.m.) POSAC will review the plan again, consider any changes or proposed edits, and then deliberate and make a recommendation to the BOCC; no additional public testimony will be taken at that meeting. Finally, on Wednesday Nov. 30, at 3 p.m. the BOCC will hear and act on this item.

POSAC Action

Discussion Item with Public Comment.

Attachments

- A. Draft Transition Plan for Phasing Out Genetically-Engineered Crops on Boulder County Parks and Open Space Properties



Transition Plan for Phasing Out Genetically-Engineered Crops on Boulder County Parks and Open Space Properties

Background

On March 17, 2016, the Board of County Commissioners (BOCC) directed Boulder County Parks and Open Space (BCPOS) staff to develop a plan that would phase out the use of genetically-engineered (GE) crops – specifically, glyphosate-resistant corn and sugar beets -- on the county's open space properties. The BOCC also expressed concerns about pesticide use on open space properties, and their support for increased research opportunities into sustainable agriculture. After input from agricultural tenants and other stakeholders, staff has developed this draft transition plan to eliminate the use of these GE crops on county property while minimizing the impact on our lessees whose livelihoods are connected with the agricultural stewardship of these lands.

Phasing out the use of GE crops will have an impact on the business investments and operations of the farms currently approved for use of GE crops; however, the specific impacts will depend on the crops grown and current crop rotation sequences. For example, sugar beets, which are only available commercially as seeds in their GE form, require specialized equipment and membership in a cooperative—both significant financial investments. Sugar beets are one of the most dependable and profitable crops for farmers in this region and provide some tenants with as close to a guaranteed income as possible given the vagaries of agricultural commodities and markets. In the case of corn, the situation is different. Unlike sugar beets, there is a readily available substitute non-GE crop. A tenant can more easily make a switch from GE corn to conventional corn (or transition to organic) and would likely continue to use some of the same equipment.

Staff recognizes that these switches are not without impacts and could result in added inputs, more costs, and decreased yields for our tenants. With these impacts and crop differences in mind, staff worked to develop a general transition plan that addresses the situation from a broad perspective, taking advantage of the unique circumstances of each lease, each crop, and the existing rotation protocols in the Cropland Policy.

Proposed Plan

Our goal is to reduce, and ultimately eliminate, the use of GE crops on county open space in a way that is understandable and fair for affected tenants. To do so, staff has suggested a dual strategy that will phase out GE crops based on the differences described above between corn and sugar beets:

1. GE corn will be allowed in rotations for the next three years (beginning in 2017), resulting in a complete phase out by the end of 2019.

2. GE sugar beets will be allowed in rotations for the next five years (beginning in 2017), resulting in a complete phase out by the end of 2021.

This dual strategy will result in a dramatic reduction in GE crop use in the near term since corn generally represents 70% of the total GE acreage, accounting for approximately 1,200 acres annually on average. Furthermore, the longer time for beet conversion gives tenants added time to utilize the investments made by tenants.

In addition, only tenants who have been approved to plant GE crops will be allowed to continue use of GE seeds during this phase-out period. We propose:

- limiting the continued planting of GE crops to tenants who have planted GE corn or sugar beets in the last two years (2015 and 2016);
- capping future plantings of GE corn and sugar beets at a maximum acreage-per-crop-per-tenant based on the maximum acreage planted over the last four years (the planting timeframe since the Cropland Policy was approved in late 2011); and
- limiting plantings of either GE crop to a maximum of two times total per tenant according to the existing protocols of the Cropland Policy.

Limiting GE crop use to the leased areas that have had GE crops on them within the last two years will also aid our efforts to monitor and track GE crop use and be a fair method for allocating GE crop acreage.

To implement the GE transition effectively, the proposed plan includes several additional components to protect the viability of agriculture in Boulder County during and after the implementation of this transition plan:

1. Assist tenants with GE leases. While the draft transition plan lays out specific guidelines for curtailing GE crop planting over the next 3-5 years that will apply uniformly to all tenants, each tenant's situation is unique. Consequently, BCPOS staff will work with each tenant on the details of transitioning by using a variety of tools and incentives to minimize the potential economic impact. This includes assisting in the development of new farm operating plans that are GE-free, identifying and promoting training opportunities and best management practices, and developing incentives for GE crop acreage reductions that occur before deadlines. Also, if tenants choose not to renew leases that have had GE crops within the last two years, BCPOS will work to purchase irrigation equipment for continued use on county agricultural properties.
2. Support agriculture in Boulder County. Another feature of this plan is to continue and expand delivery of programs that support agricultural viability in Boulder County by providing transitioning tenants with alternative agricultural opportunities. Specifically, staff will continue to research and develop value-added products and new markets, deliver county capital improvement programs for irrigation infrastructure and other facility improvements, and offer organic incentives by staffing an organic weed crew, reducing rent during organic transitions, and introducing a new staff position to assist with organic certification.
3. Enhance data collection and monitoring. During the hearings on this topic earlier in 2016, some of the public expressed concerns that the county wasn't capturing or sharing important

agricultural land and resource information. Since the adoption of the Cropland Policy in 2011, BCPOS staff has tracked acreage in GE and organic cropping systems as well as detailed revenue and costs for crop share leases. BCPOS has also monitored key natural resource characteristics on farm properties, including soil health and fertility, water quality/quantity, and the presence of pollinators and pesticide residues. However, the department recognizes that this program can be improved upon and be more effective by engaging additional technical review and support. We are committed to thoroughly reviewing our existing data collection and monitoring efforts and adopting new metrics and protocols that will capture and deliver more relevant information to both tenants and the public.

4. Launch a new sustainable agriculture initiative. Staff proposes to create the Boulder County Ag Research Innovation Initiative that will explore key sustainable agriculture questions to both sustain Boulder County agriculture and help advance our goal to be a national leader in sustainable agriculture. Research priorities will explore local questions related to environmentally sensitive agricultural production that is balanced with farm economics. BCPOS is positioned to provide land and water resources and staff time to support this initiative. Boulder County Parks and Open Space and CSU Extension in Boulder County will facilitate project development with Rodale Institute and CSU Agricultural Sciences and engage partner agencies, organizations, and stakeholders. This project is envisioned to provide local farmers with research and demonstration plots that can be used to inform local agricultural practices to increase their sustainability metrics.

Conclusion

Staff views this plan as the starting point in the transition away from GE crops. Our immediate focus will be on implementing this plan in the most just and fair manner possible. We will work diligently with affected tenants in hopes that they remain our trusted stewards of these lands and continue our agricultural heritage in this county. BCPOS staff believes that there is broad community support for our agricultural program. Staff and our tenants understand the critical importance of conserving soil and water resources. Indeed, a number of our tenants come from families that have farmed in this area for generations and have conserved their lands permanently through conservation easements. We also appreciate the interest the citizens of Boulder County take in public land agriculture and their concern for its impacts on natural resources. This proposed transition plan acknowledges all of these perspectives and continues our efforts to keep agriculture sustainable in Boulder County.