

**MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE ADVISORY
COMMITTEE, February 23, 2006**

The meeting was called to order at 6:32 p.m. by Christine Quinlan in the Hearing Room of the Board of Commissioners, Third Floor, Boulder County Courthouse, Boulder, Colorado.

POSAC Members in Attendance

Present: David Batts, Barbara Hawke, Chris Meyer, Jim McKee, Melanie Muckle, Ira New Breast, Christine Quinlan and Eric Vogelsberg.

Excused: Sean McCoy, Mary McQuiston and Dave Robertson

Staff in Attendance

Ron Stewart, Jan Burns, Therese Glowacki, Rich Koopmann, Carol Beam, Mark Brennan, Jim Daus, Dave Hoerath, Ariel Steele, Janis Whisman, Allison Taylor, Melissa Arnold, and CSU graduate student Benjamin Lenth.

Minutes of January 26, 2006 Meeting

Melanie Muckle moved to approve the January 26, 2006 minutes with the following corrections: Barbara Hawke, not Christine Quinlan, called the meeting to order; and on page 3, the sentence starting with, "Barbara Hawke appreciated..." should read, "Barbara Hawke appreciated the modifications to the trail map such that the only trails shown were those that had been through another trail planning process." *Eric Vogelsberg* seconded the motion. ***Motion carried unanimously.***

Public Participation for Items not on the Agenda

Andrew Batson, 1029 Topaz Street, Superior, CO 80027, mentioned that Xcel reapplied for a natural gas compressor facility on the Marshall Road Space, which is surrounded by City and County open space. See his website at www.protectmarshall.org and his handout.

Dog Moratorium on Heil Valley Ranch and Hall Ranch

Staff Presenter: Therese Glowacki

See staff memo in packet for detail. *Benjamin Lenth*, ecology graduate student at Colorado State University, presented his research findings as reported in The Effects of Dogs on Wildlife Communities. Based on the impact dogs have on wildlife, public opinion in support of restricting dogs on properties for wildlife protection, and the variety of trails available in Boulder County that allows dogs, *Therese Glowacki* recommended that the dog moratorium become permanent policy for the North Foothills Open Space (NFOS) (Hall Ranch and Heil Valley Ranch).

Additional Presentation

See Pat Murphy's handout and CD for detail. *Pat Murphy*, 1554 North Street, Boulder, CO 80304, is a plant ecologist working in Boulder County and gave a brief presentation on the significant vegetation and soil damage that dogs cause along trails. If dogs are allowed in an area, there will be an acceleration of off-trail impacts because dog-on-leash compliance will never be 100%. Even if kept on leash, dogs will trample the trail margins to a far greater extent than people without dogs. Referring to a study made available on his CD, he mentioned that dog feces are a source of pathogens, negatively affect vegetation and water quality, increase the nitrogen content in soil and encourage weeds. His PowerPoint highlighted the effects of off-trail dog impacts in Sanitas Valley.

Discussion/Questions by POSAC Members

Following Ben Lenth's presentation, *Eric Vogelsberg* asked whether they were able to control for different wildlife populations in the study areas, which would indicate whether red fox density is the result of urban interface or trail configuration. *Ben Lenth* responded that this is possible even though populations were not addressed in his study. *Melanie Muckle* asked about the decision to compare the impacts of a moratorium to dogs off leash, rather than a moratorium to dogs on leash. *Ben Lenth* said they began the study looking at all 3 scenarios, including dogs on leash, but time constraints required its removal. *Therese Glowacki* clarified that the Division of Wildlife's recommendation is to continue the moratorium on both properties. She also clarified that although the management plans for these properties are not redone every 5 years, the trail extension planning caused them to be readdressed recently. *Chris Meyer* asked about staff's plans research plans for these properties if a permanent moratorium is put in place. *Therese Glowacki* said resource monitoring will continue and these properties could serve as a basis of comparison for other studies. Also, a research fund that allows for studies like Ben's will continue to be available. *Melanie Muckle* asked whether comparing no dogs on Hall Ranch and Heil Valley Ranch to leashed dogs on Rabbit Mountain is possible, considering that they are in different ecosystems. *Ben Lenth* replied yes, stating that Rabbit Mountain and Walker Ranch were in the initial study, but were removed for efficiency.

Public Comment

- *Linda-Andes Georges, 8417 Stirrup Lane, Longmont, CO 80503*, supports the staff recommendation on behalf of the Boulder County Audubon Society. Many members have been wildlife watching for half a century and find that the presence of dogs is a deterrent to normal activity of birds and other wildlife, and make bird watching difficult if not impossible. The Audubon Society volunteers to take people on field trips to demonstrate this point. There are plenty of other trails available for people with their dogs along the Front Range.
- *Penni Parr, 1386 Banner Circle, Erie, CO 80516*, owns and loves dogs, but understands their impact and supports the staff recommendation.
- *Nancy Newpirt, 333 S.68th Street, Boulder, CO 80303*, was very impressed with the presenters and supports the staff recommendation, as she is concerned with the effect dogs have on wildlife and riparian areas. These two ranches are important refuges where wildlife does not have to contend with dogs. In her experience on OSMP land, as well as in the National Forests where dogs must be leashed, the majority of dogs are unleashed. Even if dogs were kept on leash, wildlife would still be affected. She congratulated the staff on their vision.
- *Steve Jones, 3543 Smuggler Way, Boulder, CO 80303*, supports the staff recommendation on behalf of Boulder County Nature Association. He explained that more than a dozen avian species of special concern are found at these ranches. Dogs affect birds other than ground nesters, such as owls that stay on the ground when they fledge. These properties are important because the foothills ecosystem is unique and development is increasing in the area. This is one of the few areas from Roxboro State park up to the Wyoming border where wildlife receives protection from dogs. When the Environmental Resources Element was drafted in the Boulder County Comprehensive Plan 25 years ago, Environmental Conservation Areas were created from the realization that small areas could not sustain all native species. Several species have vanished on the plains where pre-existing development precluded large Environmental Conservation Areas, and with the foothills under the threat of development, our only recourse is to create large areas of protected habitat. He provided statistics on the number of species in the County extirpated by humans to demonstrate the imbalance of the system and emphasized the need for these large preserves. He also mentioned that in the past 2 years on Shanahan Ridge, he has hiked a 2-mile loop 80 times and has had 525 dog encounters. Most owners are working hard to keep their dogs

in line, but each of the 6 times he has sighted deer, they were being chased by dogs. From a breeding bird study he is doing in the area, he knows that the deer stay where dogs cannot see them a couple hundred meters from the trail.

- *Kirk Cunningham, 977 7th Street, Boulder CO 80302*, supports the staff recommendation on behalf of the Indian Peaks Group of the Sierra Club. They discussed staff's report at their last meeting and agreed with their recommendation; however, the report did not address the effects dogs have on other recreational users. With mountain bikers already using the area, adding dogs to this situation will invite conflict.
- *Madeline Goldhawk, 2645 Table Mesa Ct., Boulder, CO 80305*, is a hiker and wildlife watcher and echoes what other speakers said about the properties being special. Hiking today at Hall, she saw about a dozen turkeys and several deer. The deer were comfortable being less than 20 feet away from her hiking party, but if they had had a dog, the wildlife may have startled. Keeping dogs off NFOS is good for wildlife and good for hikers.
- *Werner Newpert, 333 S.68th Street, Boulder, CO 80303*, supports staff recommendation. He appreciated Ben Lenth's presentation and provided input regarding Melanie Muckle's question about the relative impact of hikers without dogs, with dogs on leash, and with dogs off leash. *See his handout for details.* A study by Dr. Knight at Colorado State University addressed 4 situations around the flushing of mule deer on City of Boulder Open Space: a hiker alone on trail, a hiker with a leashed dog on trail, and the same combination off-trail. He determined that a hiker alone flushes no more than 20% of mule deer at any distance, but adding a leashed dog flushes 80% of the deer within 125 feet of the trail. A hiker off-trail flushes deer within 50 feet, but a hiker and their leashed dog flushes deer within 250 feet. Perhaps the off-trail results of this study are what can be expected with unleashed dogs.
- *Sue Cass, 4560 Hanover Avenue, Boulder, CO 80305*, supports the staff recommendation, including the positions of Boulder County Audubon Society and Boulder County Nature Association. She believes the 82 % leash compliance statistic in the staff presentation is too high. Last summer on the Anne U. White trail, she observed 7 dogs off leash and 4 on leash. She believes there are ample areas in Boulder County that allow dogs and encourages the moratorium.
- *Tim Hogan, 2540 6th Street, Boulder, CO 80304*, supports the staff recommendation. He echoed the comments of those who pointed out the special attributes of these properties. Addressing Chris Meyer's earlier question about the research values of these properties if the moratorium is made permanent, he said that because the land would be a preserved ecosystem, its study value would increase. Acknowledging the efforts of groups such as FIDOS (Friends Interested in Dogs and Open Space), he commented that most dog owners are not members of this group, and are not concerned with the preservation of the ecosystem because they are unaware. Because there are lots of other opportunities for dogs in the County, this area should be protected.
- *Linda Mahoney, 1107 Maple Ct., Broomfield, CO 80020*, with friends of the Colorado Natural Areas Program, believes the dog moratorium should be permanent. These lands can provide baseline data for species dynamics on other lands that allow dogs. According to the North Foothills Management Plan, Miriam's Turkeys are present on both ranches, which are part of a turkey winter concentration area. Dogs present serious threats to this species for most of the year, either during the male courtship period in late February to June, the hen and polt ground roosting from March to July, or when winter flocks are forced to lower elevations in the fall and winter. In severe winters, energy conservation is imperative to avoid starvation and disruptions during this sensitive time can be detrimental to the whole flock. The Miriam's Turkey is but one example of an animal threatened by dog predation and harassment, and she would like to see the current policy remain in place.
- *Jan Carnes, 261 4th avenue, Niwot, CO*, speaking for herself and her husband, John. Since the 50's and 60's, they have seen Boulder County grow and are pleased with the staff recommendation.

She commented that there are ample places for people to take their dogs in Boulder County but only few places for wildlife to be without dogs. Boulder County offers more places to take dogs than most other places, and dog owners are fortunate to have these opportunities. She asked to leave Hall Ranch and Heil Valley Ranch as they are.

- *Michael Delaney, 5464 Raritan Place, Boulder, CO 80303*, is a volunteer naturalist for Boulder County and supports the staff recommendation.
- *Ed Mills, 2996 24th Street, representing FIDOS at PO Box 19212, Boulder, CO 80308*, sent an email to the Members. FIDOS is proposing that dogs be allowed on a portion of Hall Ranch's Nighthawk and Bitterbush Trails on a limited basis. This could be a 2-4 mile loop and/or a timesharing plan on the Nighthawk Trail. This is the least sensitive area of Hall Ranch and consists of less than 1.8% of North Foothills Open Space. At the May 2000 BOCC hearing, the Commissioners extended the moratorium for 5 more years but added an amendment to look at limited use options for dogs because there was not enough data to justify a permanent ban. FIDO supports restricting dogs to protect wildlife, but these restrictions should not ban one type of user group from all of NFOS. The Lenth study measures trail effects due to the presence of dogs, but a look at these limited effects in limited areas does not justify a permanent dog ban. The study itself recommends a fuller study, and the Knight Miller study did not investigate the flushing effect on birds. Staff suggests that dog policies are balanced in the County, but to the dog owners of Lyons, restrictions at Hall Ranch and Heil Valley Ranch lacks balance because they have to drive to Rabbit Mountain for dog trails. He asked that staff consider the Commissioners' mandate from 2000 and FIDOS' recommendation on Bitterbush and Nighthawk trails.
- *Dan Suckle, 2637 5th street, Boulder, CO 80304*, on behalf of FIDOS, he said their main objective at Hall Ranch and Heil Valley Ranch is to provide something for Lyons dog owners, as they cannot enjoy this open space in their own backyard. FIDOS would support a ban if solid science stood behind it, and the Lenth study does not provide enough evidence that dogs are harming wildlife. If every trail that allows dogs has a 100-yard swath of habitat decimation, then a 3-mile trail on NFOS would amount to 1.3% of the open space being affected. He suggested taking the Commissioners' mandate into account by considering a 2-4 mile loop at bottom of Hall Ranch open to dogs 2 days during the week. Through a compliance study, this privilege could be monitored and revoked if necessary. The Lenth study suggested opening up a no dogs trail to dogs and vice versa for the sake of research. FIDOS' suggestion could serve this purpose. In the visitor survey on Hall and Heil where the majority was in favor of the dog ban, he said those visitors are not necessarily "dog people" because dogs are not allowed on those trails; however, the majority was opposed to the ban when the same study was done on Rabbit Mountain where dogs are allowed. In a trail restriction study, a majority of dog owners agreed that some bans may be necessary, but people were envisioning a few sensitive trails, not entire open space properties. Finally, the user conflict study stated that 16% of conflicts are dog related, but only 9% of visitors interviewed had any conflicts at all, and of those 9%, 16% were dog owners. Out of all the people interviewed for this study, only 1.4% of all users had a dog-related problem last year.
- *Tom Andrews, 417 Reese Street (PO Box 350) Lyons, CO*, supports staff recommendation. As a former research natural area ecologist for USFS, he identified highest quality ecological areas on Forest Service land for possible designation as Research Natural Areas. As a Lyons' resident who has hiked at Hall Ranch over 200 times in the last 5 years, he recognizes the extremely high ecological quality of this area. Addressing FIDOS' suggestion for limited access on a short loop, he said there is a large herd of 20-40 deer on those 2 trails and their habitat is within the first ½ mile. Further along in this grassland area, he has seen up to 150 deer at one time, and fears that if dogs were allowed, there would be distinct impacts on wildlife.
- *Karen Hollweg, 4440 Greenbriar Blvd., Boulder, CO 80305*, supports staff recommendation. In Zion National Park, dogs are prohibited on trails because the smell and presence of dogs alter the

behavior of wildlife. Because they manage for conservation and education purposes, Zion finds it incompatible to have dogs on trail. While she is not advocating for POS land to be managed like National Park Service land, there is good reason for prohibiting dogs in certain areas, notably where there is a focus on conservation on Hall Ranch and Heil Valley Ranch. This objective cannot be served by fragmenting the habitat via timeshare dog usage or even a few dog trails on NFOS properties.

- *Bob Stulac, 5527 Baca Circle, Boulder, CO 80301*, strongly supports the staff recommendation. Responding to FIDOS' comments, he said from where he lives in Gunbarrel, he has to travel 17 miles to Hall Valley Ranch, 15 to Heil Valley Ranch, or 40 miles to RMNP to be in a place without dogs. He would like to be able to walk in his own backyard without dogs, but this is not possible. As a part time ranger for the National Forest in the Indian Peaks area, he sees the impacts of dog as well as humans on the resource and would like to keep Hall and Heil Valley Ranch free of dogs.

POSAC Discussion on Motion

Chris Meyer supported the moratorium in 2000 because he had negative experience on the trail with dogs and he knew it would only be for 5 years. In that time, his experiences have been mostly positive, but he supports this motion because he has come to realize the truly unique nature of these properties.

Jim McKee first commented that these properties have significant wildlife habitat values, more so than most other open space properties in the County. Secondly, dogs are viewed as predators by prey species. The Colorado Division of Wildlife did a study along the Arkansas River with instrumented Big Horns, where a dog passing by on a leash caused a significant physiological reaction in these animals, even though they were familiar with dogs. If we allow dogs at Hall and Heil, there may be a great deal more impact on the wildlife because they are less habituated to dogs, regardless as to whether dogs are kept on leash.

Ira New Breast is a board member for the Defenders of Wildlife as well as the National Wildlife Service, which may seem contradictory but they offer a national perspective that we are exponentially losing wildlife in sensitive areas. Just as he voted against public access at Hall Ranch and Heil Valley Ranch, he will support the staff recommendation to keep dogs out of these properties.

Barbara Hawke thanked FIDOS for challenging them and asking them to question assumptions; however, she views these properties as regional parks of sorts. The need for local recreational opportunities for municipalities is valid and the County has responded to these concerns in the past, but Hall and Heil should be assessed within the context of all properties and visitors in Boulder County. From that perspective, keeping dogs out of these properties is the best way to maintain their productivity and keep them available for broad visitor usage. She acknowledged that this still leaves a gap for local dog use. Also, bringing dogs on these properties would be an additive effect to the impacts already there. She mentioned the availability of literature on forest fragmentation due to trails or the edge effect, and noted that when there is a change of use, there is a cascading effect within wildlife populations not limited to visual disturbances such as flush distances or dog feces. For those reasons, she supports the staff recommendation.

Eric Vogelsberg commented that he believes a serious effort has not been made to find an area in the 10,000 acres of these properties for the dog users of Lyons to prove that they could be responsible dog guardians. He suggested amending the motion to request this investigation of staff because he cannot support the motion as it stands.

David Batts thanked staff for bringing science to this discussion. Although this issue is still not clear, he looks forward to future research on this topic. Regarding benefit recreation experiences, this is one of the few areas that provide a dog free user experience, and he is unsure whether there can be a small loop and still preserve this quality. Agreeing with Barbara, he commented that increased use might bring conflict. Also, timeshare enforcement may be an issue, as the members of the public may have a difficult time balancing the different days.

Christine Quinlan, addressing the need for accessibility of dog user trails for the community of Lyons, commented that the driving objective behind spending major County resource to acquire both properties was to protect these regional crowned jewels, which are extremely rare. Hall and Heil were not intended for use by a particular community, although Lyons is so situated that they can use these properties as well as Rabbit Mountain to a greater degree than most Boulder County residents. She appreciates FIDOS' involvement in this dialogue as well as their work towards developing responsible dog conduct; however, she is comfortable with motion, as there is good data to back it up. Also, if the properties were opened to dogs, this would draw numerous dog users to this premier area and she has not heard anything yet that convinces her that this would be the best long-term interest for these properties.

Melanie Muckle was impressed with the public testimony and criticisms from FIDOS, and appreciates the science being conducted, helping them to make sound decisions based on science. But she was particularly impressed with testimony regarding the quality of experience in no dog areas. This is a significant quality that the moratorium can offer.

Motion

Chris Meyer moved to support staff recommendation to make the moratorium on the North Foothills Open Space permanent. *Jim McKee* seconded the motion. In favor: *David Batts, Barbara Hawke, Chris Meyer, Jim McKee, Melanie Muckle, Ira New Breast, and Christine Quinlan*. Opposed: *Eric Vogelsberg*. **Motion carried 7 to 1.**

POSAC Discussion on Second Motion

Eric Vogelsberg said he made the motion because Lyons is surrounded by open space and the County needs to consider the recreational components of those properties. He is also concerned with preserving Hall and Heil, but this motion may provide an opportunity to address his concerns without causing damages to the resource. Another alternative could be to use the northern section of the St. Vrain Trail Connector when and if it is built. *Jim McKee* commented that the Town of Lyons Trail allows dogs, and in the long-term, the St. Vrain Trail Connection proposes to connect the Lyons Trail to Longmont, which will be open to dogs on leash; consequently, he does not see a shortage in Lyons. *Ira New Breast* said that he would be willing to support the motion if he had a clear idea of the implications of allowing dogs in certain areas, such as the projected resource use and enforcement if compliance is not 100%. He questioned the impact of opening up 'a little door,' which can be observed all over the country where a 'trickle becomes a larger flow,' particularly on sensitive lands. Opening this land to dogs may open this area farther and farther to different types of encroachment. He loves dogs, but feels there are plenty of alternative areas for dog users. *David Batts* said the concept is nice, but does not know what they would look at besides Hall and Heil that will not be considered in a future management plan. We should let the management plan process guide us. *Chris Meyer* supports Eric's motion because it provides advanced input to future management plans. *Eric Vogelsberg* said this was his intent, and responding to Ira, he assumes that anything that staff came up with would come to POSAC and those questions would be dealt with at that time. *Therese Glowacki* confirmed Jim McKee's list of trails available in the Lyons area, and noted that there is also a dog park. She mentioned that the St. Vrain Trail Connector is proposed to allow dogs and will be addressed in the management planning process, but there are not any new trails where staff can consider dog access. *Christine Quinlan* said she would not support the motion because she does not want to create confusion with the first motion, where members voted to support a complete ban on these two properties, and staff is already addressing dog user opportunities.

Second Motion

Eric Vogelsberg moved that staff undertake finding an opportunity to provide a dog-walking situation in the Lyons area. *Barbara Hawke* seconded the motion. **Motion failed 4 to 3.** *Ira New Breast* abstained.

Property Transactions:

A. Anglund Conservation Easement Amendment

Staff Presenter: Janis Whisman

See staff memo in packet for detail. Staff is recommending an amendment to the 140-acre Anglund Conservation Easement. This amendment would reconfigure the 2 parcels and move the allowed home site to a new location, which would allow the family to put center pivots on the Property to make the land more productive and help solve access issues that have arisen since Burlington Northern has increased its train activity through the Property.

Discussion/Questions by POSAC Members

Following questions by members, *Janis Whisman* clarified that although the east and west parcels have not been surveyed yet, they are about 80 acres and 60 acres respectively. The reconfiguration of the parcels does not affect the value of the easement because it still covers the entire property. The relocation of the one additional allowed home site does not affect the value either, as the analysis of the relative value of the existing location for that home site to the proposed new location confirmed that they are of similar value. Responding to further questions, she noted that the Agricultural Resources Division staff supports the use of center pivots, and also mentioned that Land Use did not object to the relocation of the home site.

Public Comment - None

Motion

Jim McKee moved to accept staff recommendation. *Chris Meyer* seconded the motion. **Motion carried unanimously.**

B. Revenue Lode Acquisition

Staff Presenter: Jim Daus

See staff memo in packet for detail. West of Nederland, the Revenue Lode mining claim consists of 5.16 acres of land, is surrounded by several other open space properties and lies south of the historic Cardinal Millsite. Although the property lacks legal access, there is physical access. Sitting atop a forested ridge, this Property provides views of the plains and continental divide, and intersects the Switzerland Trail on the northeast property line. Staff recommends the acquisition of this property, which would extinguish the building right and allow for better management of the adjacent open space properties.

Discussion/Questions by POSAC Members

When asked whether this property is a candidate for trade to the Forest Service, *Ron Stewart*, replied yes. *Jim Daus* mentioned that the Switzerland Trail and physical access roads were not included on the map members received in their packets, but will be added for the Commissioners. He clarified that to gain legal access to this property, easements over the private roads and a license from the Forest Service would need to be obtained. He said that a

home site could be built on the property, especially on the shallow-sloping west side. *Ron Stewart* said that the Department's policy behind acquiring this type of parcel is to purchase the land at a low price with no legal access as a preventative measure against somebody gaining legal access in the future, raising the price and building a structure. *Christine Quinlan* responded that even with this policy, it's wise to be cautious of the price of these properties. *Barbara Hawke* agreed, stating that mining claims require a higher level of scrutiny, but she gave credit to staff's analysis, especially because the location is desirable. She added that it would be helpful for the staff memos to include a statement of envisioned future use, particularly on these smaller properties where it's not always obvious.

Public Comment - None

Motion

David Batts moved to accept staff recommendation. *Jim McKee* seconded the motion. ***Motion carried unanimously.***

C. **Williams (Les and Martha) Conservation Easement Acquisition**
Staff Presenter: Ariel Steele

See staff memo in packet for detail. Located in Weld County, the William's 358-acre property includes 1½ miles of Boulder Creek, 85 acres of ponds that are the result of reclaimed gravel pits, and plans for wetland habitat. The conservation easement would include an interest in water rights and 6 home sites, 3 of which would be clustered. The Williams granted a conservation easement to the town of Frederick on the east side of Boulder Creek, where there are plans for a public trail. The bulk of the purchase will come from grant funding and partnerships, and Boulder County's contribution will be under \$3,000/acre. Staff recommends this conservation easement acquisition.

Discussion/Questions by POSAC Members

Answering question about water rights and evaporative loss on the wetlands, *Ariel Steele* said that the Williams have 10 shares of Plumb and Daily Ditch, which will be tied to the land. Four of those shares have been dedicated to augment the ponds, and presumably the remaining 6 shares could be put towards the wetlands. Les (husband) and Todd Williams (son) are water engineers and could better discuss their intricate system of irrigation on the property. Responding to questions about the location of the clustered house sites, she said they will be located on the east side of the ditch, where the land has been impacted by mining rather than on the west side where the land is prime agricultural. These lots were created to make the deal more economically feasible for the Williams. The easement will limit these sites to single-family residences, but will exert few other controls. Staff hopes for a bargain sale on these development rights in the future. Regarding the 3 parcels on the map, no new parcels are being created by virtue of the conservation easement and they will all be under one ownership. Responding to questions about funding this purchase, *Ariel Steele* said the deal is taking place over 3 years because the grant organizations could not fund a higher request. The deal will not happen without the grants. She confirmed that the adjacent properties, Schlagel and Regnier Farms, are potential sites for conservation easements, as the landowners would like their land and surrounding land to remain agricultural and they are writing support letters for the grant. The Rasmussen's are not yet interested in protecting their property. There are some houses on the property between the Rasmussen's and the William's, although landownership is not known. *Barbara Hawke* asked about the project design, and whether the County will have any influence (technical advice, best practices, etc.) on the Town of Frederick's proposed trail so

that trail development does not counteract County goals to preserve the creek. *Ariel Steele* said their conservation easement does not contain that level of detail but that the Town of Frederick would most likely be open to suggestions. *Barbara Hawke* asked whether the easement would address run-off issues, such as where lot 3 lies adjacent to the large pond that feeds into Boulder Creek. *Ariel Steele* said this could be addressed in the terms of the easement, clarifying that the pond actually flows into the next pond, and then joins the creek at the north end of the property. *Ariel Steele* confirmed that the ponds were stocked with fish, and *Ira New Breast* pointed out that there is a bald eagle nest to the east of the ponds, which the raptors utilize extensively. Finally, *Ariel Steele* answered that the land to the east of Boulder Creek is owned by a Williams family member, but Boulder County will not be pursuing acquisition because Boulder Creek is the eastern most boundary for County efforts. Hopefully, the Town of Frederick will pursue the protection of this land, as the landowner is an open space supporter.

Commenting on the motion, *Barbara Hawke* noted that this acquisition is a great step forward considering the development that could be happening on this land. Although the deal required compromises, she encourages staff to ensure that the stated conservation goals are met despite the development that will occur. *Melanie Muckle* gave the staff accolades on their work towards this partnership. *Christine Quinlan* commented that this is superb conservation on an important piece of land, and although she would want to see less compromise with an acquisition within Boulder County, this property would be hard to preserve otherwise.

Public Comment - None

Motion

Barbara Hawke moved to accept staff recommendation. *Melanie Muckle* seconded the motion. ***Motion carried unanimously.***

Report on Conservation Easement Donations

Staff Presenter: Ariel Steele

See staff memo in packet for detail. In 2005, the Boulder County Parks and Open Space Department received 7 conservation donations (Mastronardi CE, Hidden Treasure CE, Poorman's Fortune CE, Boylston CE, Mountain View CE, Matchett CE, and Martens CE) and 2 conservation easement bargained sales (Cal-Wood CE and Swalde CE). Trends reveal several repeat donors, such as The Fosters, Brian Stanley, The Matchetts and Ed Shure. Boulder County has reached out to other municipalities, offering guidance for the acquisition of conservation easements, and will continue to reach out to them and local landowners for a successful 2006.

Discussion/Questions by POSAC Members

Christine Quinlan complimented the program for accepting donated easements, but inquired about the standards and expectations for qualifying the validity of small easements where one building site is extinguished. Considering the audits in Colorado, she suggested Boulder County take a precautionary approach, especially where the size of the donated parcel can be a red flag. Even though the landowner receives the penalty for faulty transactions, the conservation easement program suffers as a result. *Ariel Steele* responded that the staff looks for wildlife habitat, scenic values and other attributes within the goals of Boulder County. The donors have been encouraged to use reputable appraisers recommended by Boulder County, and staff educates donors on the IRS and the auditing of conservation easements. There are a number of landowners who are turned away because their properties do not fit the standards.

Wall Street Assay Office Museum
Staff Presenter: Rich Koopmann

See staff memo in packet for detail. Boulder County purchased the 0.84-acre Wall Street Assay Office in 2001 from The Bailey Family, who lived in it as a residence since 1909. The Staff recommends converting the Assay Office from use as a residence to a museum, which will require a Special Use Review by the Land Use Department and approval by the BOCC. This museum, which is in the process of being restored, will highlight the hard rock mining period as well as the lives of mining families, house a variety of historical artifacts to facilitate interpretation, and will be consistent with the wishes of the Bailey Family. To alleviate the neighbors' concerns that the parking lot would become a trailhead for the biking community, staff suggested in the plan that this parking area be gated when the museum is closed. Staff intends to have this facility open by late fall 2006.

Discussion/Questions by POSAC Members

David Batts expressed unease with the parking lot's location next to the creek, and suggested the engineering address run-off issues so that Boulder County leads by example. *Rich Koopmann* responded that this has already been conveyed to the landscape architects, and the land will not remain sloping towards the stream.

Public Comment - None

Motion

Jim McKee moved to accept staff recommendation. *Melanie Muckle* seconded the motion. ***Motion carried unanimously.***

Historic Preservation Project Presentation

Staff Presenter: Carol Beam

All of the projects in this presentation were funded via in-house funding sometimes combined with a grant, and were worked on by staff in the Parks and Open Space Department and/or contractors. The presentation covered the following updates: Historical Agricultural Resources Project (National Register Multiple Property Listing & Local Landmark Eligibility Guidelines); Cultural Resource Surveys; Lower Betasso Barn; Blue Bird Mine Site; Cardinal Mill; DeLonde Barn; and Harney-Lastoka.

Director's Update

The open house for the new Parks and Open Space Department building received approximately 250 visitors, from older farm families to younger environmentalists. At this event, Jim McKee received a volunteer award for his various volunteer efforts for the County. Senator Salazar successfully got \$180,000 into the budget bill last year to begin the Army Corps of Engineers' floodplain restoration work on lower Boulder Creek east of Hwy 287. He finished by mentioning that there may be 3 nesting pairs of bald eagles on County open space properties.

The members recognized Jim McKee's 10 years on POSAC, appreciating his leadership, expertise, conviction and knowledge over the years. This was his last meeting as a POSAC member.

Adjournment

Meeting adjourned at 10:20 p.m.