

**MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE ADVISORY  
COMMITTEE, May 25, 2006**

The meeting was called to order at 6:30 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, Lisa Dilling, Barbara Hawke, Sean McCoy, Mary McQuiston, Chris Meyer, Melanie Muckle, Dave Robertson, Christine Quinlan and Eric Vogelsberg

Excused: Ira New Breast

**Staff in Attendance**

Therese Glowacki, Allison Taylor, Jim Daus, Tim Swope with Transportation and guest presenter Stacey Shulte from Planning Alternatives

**Minutes of April 27, 2006 Meeting**

*Sean McCoy* moved approval of the minutes as corrected by Melanie Muckle to more accurately reflect her comments on the Public Service Compressor Station item. *Chris Meyer* seconded the motion. ***Motion carried unanimously.***

**Public Participation and Items not on the Agenda**

*Bruce Johnson, 6907 Marshall Rd, Boulder, CO*, spoke as member of the Marshall group opposing Xcel's Marshall application. He commented the Commissioners ruled out the existing site, but were undecided between the Dillon Site and the Marshall site. During the discussion, they noted that the Marshall site could be a single-family residence if it were not going to be used as a compressor site. A representative from the Superior Open Space Advisory Committee told the Marshall group that if the Marshall site remained available, they would be amenable to purchasing this site. After providing materials to POSAC such as petitions and purchasing information, he requested that the Committee consider passing a motion, resolution or even an informal action that if the Marshall site becomes available, that they consider participating with Superior in the purchase of this land.

*Christine Quinlan* commented that POSAC made a motion opposing the Marshall site after a presentation on the matter at last month's meeting, but his comments were appreciated and would be considered.

**Election of Officers**

Nominations were opened for the office of Chairman. *Dave Robertson* nominated Christine Quinlan for Chairman. Nominations close, a voice vote was taken and ***Christine Quinlan was elected Chairman of POSAC unanimously.***

Nominations were opened for the office of Vice-Chairman. *Eric Vogelsberg* nominated Barbara Hawke for Vice-Chair. Nominations closed, a voice vote was taken and ***Barbara Hawke was elected Vice-Chairman of POSAC unanimously.***

## **Property Transactions:**

\* Action Requested- Recommendation to BOCC

### **A. Williams (Merlin)**

**Staff Presenter: Jim Daus**

*See staff memo for detail.* This 31.33-acre property with four building lots consists of several patented mining claims south of Ward. These parcels are surrounded by Forest Service land and two County owned lodes schedule for a Forest Service trade. The parcels all have legal and reasonable physical access, and are easily viewable from the Peak-to-Peak Highway. Purchase of this property for \$320,000 would extinguish its building rights and protect valuable wildlife habitat. Forest Service trades and connection to the nearby Sourdough Trail may be considered in the future. Staff recommends this acquisition to the Board of County Commissioners.

#### **Public Comment**

*Dirk Arnold, 13609 Gold Hill Road, Boulder, CO,* commented that Williams (Merlin) is an excellent deal. He said it is highly developable because of access and because power traverses the property, and added that the property has some springs and an elk corridor.

#### **Motion**

*Eric Vogelsberg* moved to accept staff's recommendation to purchase the Williams (Merlin) property. *Sean McCoy* seconded the motion. ***Motion passed unanimously.***

#### **Discussion on Motion by POSAC Members**

*Eric Vogelsberg* commented that this inexpensive property meets the Department's requirements and protecting this land with the possibility of a Forest Service trade is wise management. *Sean McCoy* agreed with Eric's comments and added that if the County did not purchase this property, it could easily be developed. *Melanie Muckle* agreed that this property is a great deal. *Barbara Hawke* thanked staff for a thorough memo that addresses the reasons for acquiring the property as well as possible future use. She commented that this establishes solid documentation if a trade occurs in the future.

### **B. Lausten**

**Staff Presenter: Jim Daus**

*See staff memo for detail.* This 5.165-acre property is a patented mining claim surrounded by Forest Service land and two County owned lodes schedule for a Forest Service trade. The site lacks legal and physical access; however, they could be obtained relatively inexpensively. Purchase of this property for \$25,825 would extinguish one legal building lot. Forest Service trades and trail connection options may be considered in the future. Staff recommends this acquisition to the Board of County Commissioners.

#### **Discussion/Questions by POSAC Members**

Answering questions, *Jim Daus* pointed to the route on the map where physical access could be obtained.

#### **Public Comment**

*Lexie Armitage, from the Home on the Range Real Estate company,* represents Susan Lausten. She said Susan was contacted by the Forest Service and asked to form a road association with the Boniek family so that they could obtain legal access as well as a Forest Service easement. Susan would like to see this parcel protected rather than be developed.

### Motion

*Sean McCoy* moved to accept staff's recommendation to purchase the Lausten property. *Eric Vogelsberg* seconded the motion. ***Motion passed unanimously.***

### Discussion on Motion by POSAC Members

*Sean McCoy* commented that this was a great price, and the fact that this property is being considered for a Forest Service trade has been well documented in the memo. *Eric Vogelsberg* said he appreciates buying from willing sellers.

### **Nature as Your Neighbor: Results of the 2005 Survey of Adjacent Landowners**

**Presenter of Survey Results: Stacey Shulte from Planning Alternatives**

**Staff Presenter: Therese Glowacki**

*\* Information only*

See staff memo or the full report for detail, available at:

[http://www.co.boulder.co.us/openspace/general\\_pdfs/AdjacentLandownerStudy.pdf](http://www.co.boulder.co.us/openspace/general_pdfs/AdjacentLandownerStudy.pdf). Last year, POS sponsored a study through the Resource Management Division's Small Grant Program to assess the attitudes of adjacent landowners, the exchange of information and whether the Department was fulfilling its policy of being a "good neighbor." A local research firm, Planning Alternatives, sent out questionnaires to a sample of residential properties adjacent to both agricultural-leased land and public open space. Stacey Shulte presented the findings from the study, which found that wildlife, rural landscape, and land protection are the most significant benefits to neighbors. Negative aspects included weeds and complaints associated with park visitors (trash, trespassing, noise, parking and dogs). Although neighbors generally feel informed about activities on adjacent land, an overwhelming majority would like more information about POS management.

Based on these findings, POS is developing strategies for better communication with neighbors. *Therese Glowacki* said that staff held a brainstorming session to address the points brought up by the survey results where they decided: (1) to create a newsletter for neighbors of agricultural properties to provide updates on those properties (and perhaps a newsletter for neighbors of public open space at a later date); (2) to create a link on the website designed to provide information to neighbors of open space (see the link for "Neighbor Relations" on the left hand side of the Department's website: <http://www.co.boulder.co.us/openspace/>); (3) to host gatherings on properties with caretakers, where neighbors can meet the caretaker and discuss issues relating to that property; and (4) to send out magnets to neighbors who responded to the survey. The magnets will provide the Department's contact information and a comment along the lines of 'thanks for being a good neighbor.'

### Discussion/Questions by POSAC Members

*David Batts* asked whether the survey addressed access issues on open space other than agricultural-leased land, as those areas may provide more incentive for trespass into closed areas. *Stacey Shulte* responded that the study did not address this issue. *Chris Meyer* asked how many people qualified as neighbors of County Open Space under this study (even though only 400 questionnaires were sent) and whether conservation easement property qualified. *Therese Glowacki* responded that approximately 1600 households qualified as neighbors under this study, but easement properties were not considered (later research revealed 3,720 neighbors). *Sean McCoy* suggested that because most neighbors prefer to be contacted via mail, perhaps (for example) the County could add a blurb under the City of Longmont's utility bill section called 'The City Line' that pertains to properties in the service area. Although it may be costly, it will pay off in the long run by keeping neighbors well informed. *Therese Glowacki* added that the County does newspaper inserts each year, and this year's insert on Open Space, Land Use and Transportation will be coming out before the 4<sup>th</sup> of July weekend. Considering the survey's findings of trespass onto agricultural lands, *Lisa Dilling* asked whether the agricultural leaseholders were asked if they felt the public is a good neighbor. *Therese Glowacki*

responded that this was not a part of the survey, but the Agricultural Division attended the brainstorming session and said they receive few complaints from agricultural tenants about trespassing. Tenants are instructed to contact the County regarding incidents of trespass. *Barbara Hawke* asked how the County is planning to deal with the negative comment on weeds and help people understand the County's efforts. *Therese Glowacki* responded that the Resources Management Division has increased the weed staff in the last three years, and spends more money on seasonal employees than any other working group. With roadside mowers, a resource specialist dedicated to agricultural and revegetation weed issues, and another weed specialist who focuses on trails and trail corridors, they are trying their best. She said that the weed staff interacts with neighbors and are regularly approached when in the field; furthermore, as a part of a new program this year, each weed specialist will be assigned to a community as a weed ambassador. When asked whether the Division feels they are making progress with weeds, *Therese Glowacki* responded that *Tim D'Amato*, the Division's Weed Coordinator Supervisor, believes the County is ahead of other counties in weed management, and that our weed problems are not as severe as in other parts of Colorado. With successful turnouts for weed pulling projects and three other weed research projects in existence, weed management is being addressed but will take years of work. When asked whether the survey results linked negative comments with specific properties, *Stacey Shulte* said that the open-ended comments are associated with property names in the report.

*Christine Quinlan* first gave accolades to the County's weed efforts, commenting that while she was visiting another County, she observed poor communication between the weed specialist and other staff. Second, she questioned whether a newsletter would overload people with information, as neighbors of open space are most likely seeking specific information on the properties adjoining their land. *Therese Glowacki* responded that staff discussed the possibility of tailoring a section of the newsletter to properties in the neighbors' vicinities. Alternately, she mentioned they could send out occasional postcards with tailored information as a means of updating neighbors. *Sean McCoy* also questioned the efficiency of creating another newsletter that takes staff time and that few people may read. He supports the concept of making direct contact and/or sending out the occasional postcard as *Therese* mentioned.

## **Regional Trails Update**

*\* Information only*

### **Staff Presenter: Tim Swope**

*See memo for detail.* Transportation, in corporation with POS staff, has been working on implementation of the Regional Trails Plan since the list of priorities was approved by the Board of Commissioners in April 2003. *Tim Swope* presented a progress report on the 2003 Regional Trails Plan and included updates on each of the ten regional trail projects identified in the Plan. The presentation identified the public process used to form the regional trail priorities as well as the prioritized list approved by the Commissioners, and provided an update on the status of each trail project.

### **Discussion/Questions by POSAC Members**

Answering questions, *Tim Swope* said Transportation has not held formal conversations with CDOT regarding the Hwy 7 underpass for a connection into Erie; however, they did a trail walk with Parks and Open Space Department (POS) and discussed it with CDOT. He mentioned that when the POS staff completes the Stephenson-Nelson Master Plan, Transportation would do a trails master plan for that area. When asked whether Transportation has held conversations with Broomfield about their plans for the Rock Creek trail, *Tim Swope* said they have had limited conversations at this time. He said the property in Broomfield was recently developed but it may have some trail facilities.

*Barbara Hawke* mentioned when the Feeder Canal Trail came before POSAC at last year's October meeting, several Committee members expressed concern that some subjects had not been addressed, and asked if they

would be addressed in future processes. One of those subject areas involved potential environmental impacts. Some groups are concerned about the displacement of wintering raptors, and question whether a trail will create significant enough impacts that mitigation should occur. Asking whether impacts can be mitigated is different than asking whether a trail is feasible, because a trail may be feasible and still have impacts that should be considered for mitigation. She asked if a broader input process could be created, whereby the public could provide input and hold discussions with the County on these subjects. *Tim Swope* responded that in terms of open space properties, concerns can be addressed with POSAC, but for impact to threatened or endangered species, public concerns can be addressed in the environmental review. *David Batts* commented that after the Feeder Canal presentation last October, he was under the impression that if reclamation occurs, NEPA would be required. The question raised at the time was if reclamation does not occur and fee title transfers to the Conservancy District (NEPA no longer a requirement), would the County commit to doing the same level of environmental review and mitigation as would have been required with NEPA. He asked whether this is still on the radar of the planning scope. *Tim Swope* stated that he may not be the best staff person to address the question, but commented that they are looking at which of the various alignments would create the least impacts. *Christine Quinlan* asked for a follow-up to that question.

*Eric Vogelsberg* asked what the review of each alternative entails and how the public can play into the process. *Tim Swope* said that at the moment, they are following the NEPA process and all the associated federal guidelines. There will be an extensive public process for the neighborhoods and property owners, but if the property falls into private ownership, it will undergo a different process than NEPA. *Eric Vogelsberg* expressed that this is what POSAC was concerned about at the Feeder Canal Trail presentation last October, and it appears that Transportation is addressing the issue. *Melanie Muckle* requested that if the property does transfer to private ownership and NEPA does not become a requirement, POSAC and the public should be informed. *Tim Swope* said Transportation believes it is unlikely this will happen.

*Chris Meyer* stated he would like to see the County take the lead for the Union Pacific (UP) RR Line connector trail. If it becomes a Rails to Trails conversion, it will be a long-term project and a single entity should take the lead. The County should be talking to the Rails to Trails Conservancy, the UP and the Board that oversees the right-of-ways for the rails. *Tim Swope* said this is a priority trail and funds have been allocated to start this project in November or December.

*Eric Vogelsberg* mentioned other ongoing planning processes that affect these trails. Two of Boulder City Open Space and Mountain Parks trail study projects go through portions of the UP railroad within Boulder Valley and East Boulder Teller Farm Connector.

*Christine Quinlan* asked about the schedule for the Fourmile Creek underpass. *Tim Swope* said it could be as early as next summer. They have a preliminary design and will submit it to the railroad for review. If the crossing is denied, they will have to take it to the Public Utilities Commission (PUC), which can be a long process. State Highway 119 projects, the Rock Creek Trail Projects and the Fourmile Creek underpass all hinge on railroad approval or PUC action because they are linked to federal funds.

*Melanie Muckle* asked if the alignment alternatives for the East Boulder Trail are open for public hearings yet. *Tim Swope* said that process has not yet occurred. *Eric Vogelsberg* said there is a defined and approved alignment along the north side of the reservoir along Baseline, but because some neighbors are upset about it, alignment will be reconsidered along the south side of the reservoir, which will involve a public process.

## Director's Update

Ron Stewart could not attend tonight's meeting so *Allison Taylor* gave an update in his place. She mentioned that the grand opening for Mud Lake on July 6 at 3:00. *Christine Quinlan* mentioned that Ira New Breast is resigning from POSAC to take a job in D.C. and that staff is following up on finding his replacement.

## Public Service Compressor Station Site, Preferred Alternative at Marshall \*Item NOT on the agenda

Last month, Ron West provided an update on Excel's Public Service Compressor Station (PSCo) and the 3 alternative locations. Following Ron's presentation, members discussed the issue and made a motion to disapprove of the Marshall Mesa site as the location for the PSCo compressor station for environmental reasons. At the beginning of this meeting, a member of the public, Bruce Johnson, requested that the Committee consider passing a motion, resolution or even an informal action that if the Marshall site becomes available, that they consider participating with Superior in the purchase of this land.

## Motion

*Dave Robertson* moved to recommend to the BOCC that if the Marshall site is not chosen for a compressor site, that the County prioritize acquiring it as open space. *Mary McQuiston* seconded the motion. **Motion passed unanimously.**

## Discussion on Motion

Speaking to the motion, *Dave Robertson* said that the more support they can give to the protection of Marshall, the better. *Mary McQuiston* mentioned that Superior is interested in helping to protect this land as well. *Chris Meyer* supports the motion because POSAC is recommending the acquisition of Marshall if it is not approved for a compressor station, and is not attempting to interrupt the process. *Melanie Muckle* said that she attended the BOCC hearing and still believes that all three sites are evil, but noted that this is a tough case. She wondered why there is a willing seller at the Marshall site and not at the Louisville site (which would create a rancorous condemnation action). She questioned why the County did not purchase the site before if there really is a housing unit on it and the seller is willing. *Mary McQuiston* said it is her understanding that the person who owned the parcel sold some property to open space and carved out a lot to be zoned industrial. *Melanie Muckle* commented that something could still be built there. *Dave Robertson* agreed with *Chris Meyer's* statement, in that POSAC is not trying to intrude and buy Marshall out from under the process; the sole purpose of this motion is to encourage its protection if it does not get swallowed up. *Melanie Muckle* noted that the record is closed anyway.

## Requests from POSAC

- *Eric Vogelsberg* requested an updated hardcopy of the Open Space Map for all members, especially since *Lisa Dilling* does not have one at all. *Allison Taylor* mentioned that the County did post the May 2006 version of this map on the website as of that day.
- *Eric Vogelsberg* stated that Ron used to provide them updates on the BOCC decisions for things that POSAC recommended to the Board, especially the property acquisitions; and, Ron also used to report on the status of the monies (what was spent or not spent and why). He requested these types of updates be brought back as they are very helpful.

## Adjournment

Meeting adjourned around 9:30 pm.