

**MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE ADVISORY
COMMITTEE, March 22, 2007**

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, Sean McCoy, Mary McQuiston, Christian Meyer, Janice Moore, Melanie Muckle, Christine Quinlan, and Jason Vogel.

Excused: [none]

Staff in Attendance

Summer Adamietz, Lynette Anderson, Melissa Arnold, Michael Bauer, David Bell, Jan Burns, Sasha Charney, Jim Daus, Therese Glowacki, Kevin Grady, Dave Hoerath, Vivienne Jannatpour, Chad Julian, Rich Koopman, Mary Olsen, Larissa Read, Susan Spaulding, Ron Stewart, Mel Stonebraker, Janis Whisman, Chris White

February 22, 2007, Meeting Minutes

Sean McCoy moved to accept the February 22, 2007, minutes (with added information on the CO-GAP and CO-MAP data sets from Lisa Dilling). Melanie Muckle seconded the motion.

Motion carried unanimously.

Public Participation for Items not on the Agenda

Mike Barrow, 802 Sherman Street, Longmont, CO, President of BMA, commented on the County providing information on trail conditions through the web and at the trailhead.

Property Transaction: Bonertz Exchange

** Action Requested- Recommendation to BOCC*

Staff Presenter: Jim Daus

Proposed trade of 10.97 acres of former BLM land subject to a CE for 7.5 acres and two building rights. See Staff Memo for Detail on Presentation.

Discussion

Melanie Muckle asked for a definition of agricultural forestry. Lisa Dilling asked about the topography on the retained parcel.

Public Comment

Dick Schillawski, 1160 N. 119th Street, Lafayette, CO explained that the state has a program for more than 40 acres whereby the property owner can receive a tax break for Forest Agriculture provided there is an approved management plan that is adhered to.

Motion

Christian Meyer moved to accept staff recommendation for the acquisition of the Benjamin property with emphasis on addressing the concerns of the Fire District and Sean McCoy seconded the motion. *Motion carried unanimously.*

Discussion on Motion

Melanie Muckle commented that it would be helpful on mining claims to see topographic maps because the viewshed is important in the mountains acquisitions.

Property Transaction: Arsenault

** Action Requested- Recommendation to BOCC*

Staff Presenter: Janis Whisman

Joint project with Superior on 13.45 acres adjacent to Mayhoffer/Singletree. See Staff Memo for Detail on Presentation.

Discussion

Mary McQuiston asked for an explanation between purchasing the property jointly and purchasing a CE. Janis Whisman explained that it can complicate the management of the property and that by holding a CE, the County can influence how the Town of Superior manages the property. Jason Vogel asked about the mineral rights on the property. Janis Whisman explained that due diligence occurs later in the process with regard to the mineral rights. Ron Stewart explained that the County does not own the mineral rights on most of the properties in the area. Christian Meyer asked for clarification on ownership and management of the Mayhoeffer/Singletree property and also about the designation for prairie dogs on the property and what is Superior's intended management with regard to prairie dogs. Juanita Dominguez replied that the property is designated a prairie dog environmental education area. The area west of McCaslin is a HCA. Jason Vogel commented on the Singletree to Coalton Trail. Jason also asked for more information regarding the fee to be paid to the Conservation Fund. Tom Macy from the Conservation Fund explained the Town of Superior does not have staff to do the acquisition work and that the fee is based upon 5% of the purchase price for the property which covers overhead expenses and staff time.

Public Comment

Barbara Parrish, 1547 E. Riverbend Road, Superior, CO, commented that the Superior OSAC has placed high value on this property and would like to partner with the County in this acquisition. This acquisition will buffer the trail and will help to protect a beautiful view corridor.

Eric Vogelsberg, 1345-A Bear Mountain Drive, Boulder, CO, spoke in favor of the acquisition and feels that the property has the potential to provide a potential missing link at the west terminus of the Coal Creek Trail.

John Arava, 1514 Weldona Way, Superior, CO, Chair of the Superior OSAC commented on several noteworthy aspects of the potential acquisition; Trail connectivity, cultural significance (main coal mine in the area), located in original town, the aesthetic buffer potential and good proximity for access.

Juanita Dominguez, Director of Parks and Recreation for the Town of Superior spoke in favor of the acquisition and commented on the potential trail connections.

Dick Schillawski, 1160 N. 119th Street, Lafayette, CO commented on the cultural and historical value of the property. The main mine buildings and mine shafts are likely located on the property. Four million tons of coal was mined in 50 years. The mine is an important part of the County's and the State's history. Dick also commented on the transaction fee to be paid to the Conservation Funds for brokering the deal.

Motion

Jason Vogel moved to accept the motion as presented, and Christian Meyer seconded the motion. *Motion carried unanimously.*

Discussion on Motion

Christian Meyer spoke in support of the acquisition particularly with regard to the buffer, view shed and trail connectivity. Melanie Muckle spoke about the importance of the cultural and historical aspects of the property. Mary McQuiston commented on putting up interpretive signs regarding the mining history in the area.

Property Transaction: Benjamin

** Action Requested- Recommendation to BOCC*

Staff Presenter: Jan Burns

429 acres of vacant land adjacent to the northern part of Betasso Preserve. See Staff Memo for Detail on Presentation.

Discussion/Questions by POSAC:

Lisa Dilling asked what does staff know at this point about public access in terms of getting to (social) trails? Jan Burns replied that there are several social trails and the area will need to be thoroughly evaluated. There is a trail up a private road into the southern portion of the property that crosses other private roads. When the County received a CE from the Running Horse Foundation for the purpose of preserving the natural state of the top of the mountain and to allow for Native American ceremonies that have been held there historically there was mention in the easement of non-motorized public access. The County Attorney's office will review the access issues. It may involve acquiring easements across roads from private landowners.

Christian Meyer asked what the time frame is for the Management Plan and with regard to public access what is the feasibility for a trail connection to the Betasso Preserve property. Ron Stewart commented that it will likely be three years before the Management Plan is complete. The intention is to have the property open to the public. The interim plan would allow for hiking and horseback riding and mountain bike use on approved trails.

Public Comment

Brett Gibson, Chief, Four Mile Fire Protection District commented that the Fire District has no opinion regarding the acquisition per se. The Fire District is in the advanced planning stages of a mitigation fuel break and escape route creation for the Alaska Hill and Logan Mill area. The Benjamin property is a large component of the plan. The Fire Protection District is in the process of notifying all non-resident property owners of the planning project. The implementation of the plan consists of having funding in place within the next 60 days and

having the area marked and cut by the end of September. This time frame coincides the with the acquisition process by the County and before a Management Plan for the property is complete. The Four Mile Fire Protection District is asking for a recommendation to the BOCC for County staff to work with the Fire District on an ongoing basis to allow for completion of the Fuel Mitigation Project. The fuel break will directly serve 65 residents in the area.

Questions by POSAC (for Mr. Gibson):

Christine Quinlan asked Brett Gibson to define fuel break. Mr. Gibson replied that it refers to cutting trees, reducing the canopy coverage and fuel laddering. The current canopy coverage is 95% and it will be reduced to 20-40% coverage.

Lisa Dilling asked how much of the project is on the Benjamin property? Mr. Gibson responded between 28 and 35 acres.

Jason Vogel asked if the areas that will have trees removed might coincide with the trail development. Mr. Gibson replied that the Fire Protection District is not involved in the land use issues and that their primary concern is fire protection and protecting the watershed.

Public Comment (continued):

Rob Gortzman, 2707 Valmont Road, Boulder, CO spoke in favor of the acquisition and in support of recreation and mountain biking and feels that Betasso is overcrowded because there is a need for more bike trails.

Steve Silverman, 1600 Alpine, Boulder, CO as a member of BMA is in favor of the acquisition. Mr. Silverman commented that there are at least two historical significant trails on the property that are “maintained” by the mountain bike community. Mr. Silverman asked that the trails be taken into consideration as part of the interim management plan.

Elliot Hoover, 2707 Valmont Road, Boulder, CO, spoke in support of the acquisition and would like for the County to consider trail connections to Betasso Preserve.

Marcia Barber, Sugarloaf, CO commented that she has ridden horses on the property for several years and is in support of the acquisition. Marcia feels that is important to keep the trails for mountain bike use separate from the horse and hiking trails as there have been dangerous encounters between horseback riders and mountain bikers. In addition, there is critical mountain lion habitat in the area that should be carefully considered before constructing trails.

Linda Senser, 1767 Four Mile Canyon Road, Boulder, CO commented that she has ridden horses on the property since 1953 and is favor of the acquisition because the land needs to be managed. There are many illegal trails and denuded hillsides from the mountain bike use. She feels that separate trails that can be maintained are needed for mountain bikes.

David Spires, 1000 Alpine Road, Boulder, CO urged POSAC to make sure that the fire mitigation plan moves forward.

Eric Vogelsberg, 1345-A Bear Mountain Road, Boulder, CO, spoke in support of the acquisition and commended the County for recognizing historical use; he was disappointed that trail use was not mentioned in the staff memo. Social trails can create damage and it is important to manage the land and be fair that all uses are considered.

Ron Stewart commented that the County will work with the Four Mile Fire Protection District on the Fuel Mitigation Project. Ron also explained that the notification process for a division of land includes all adjacent property owners within 1500 feet. There will be public notice of the entire area and to the recreation community regarding the public process for the interim management plan. There will be intensive work over the next few months followed by public notice and a public hearing.

Questions by POSAC:

Lisa Dilling asked if permission had been granted with regard to existing use. There was vague reference to mountain bike use regarding bikes connecting onto social trails from the Betasso property, however the extent of the use was not known. Jason Vogel asked for clarification regarding present use and if the closure area coincides with areas of present use.

Motion

Christian Meyer moved to accept staff recommendation for the acquisition of the Benjamin property with emphasis on addressing the concerns of the Fire District and Sean McCoy seconded the motion. *Motion carried unanimously.*

Discussion on Motion

Christian Meyer commented on the exciting opportunity the acquisition represents and that with proper planning and mitigation the issues can be dealt with. Sean McCoy concurs and commented on trail alignment and mitigation. David Batts commented that by recognizing historic use there is the danger of rewarding trespassing and that it may affect future acquisitions. Jason Vogel commented that he feels it is an issue of recognizing the complexity of property ownership and historic use and asked Jan to present to the BOCC the information on current existing trails. Lisa Dilling spoke in support of the acquisition. Melanie Muckle encouraged those who can to be involved in the process. Christine Quinlan commented that rarely do we see an opportunity for the County and the mountain biking community to work together early in the process. Janice Moore commented that all parties will need to work together in the process and that the common theme is all of us care about open space.

Property Transaction: CH Clark

** Action Requested- Recommendation to BOCC*

Staff Presenter: Mel Stonebraker

Proposal to grant an easement along the north boundary to the Poudre Valley Rural Electric Association. See Staff Memo for Detail on Presentation.

Discussion

Mary McQuiston asked if the sprinkler system is capable of being moved if the lease on the property does not continue. Yes, the pivot system is transportable. Christian Meyer asked for

clarification regarding providing electricity to the property. Mel Stonebraker explained that if easement is approved the County will pay Poudre Valley Rural Electric to bring electricity to the property. Christian Meyer asked where the lines would be located.

Public Comment

None.

Motion

Mary McQuiston moved to accept the amendment as presented, and Lisa Dilling seconded the motion. *Motion carried unanimously.*

Discussion on Motion

None

Front Range Cougar Pilot Study Proposal

** Action Requested- Recommendation to BOCC*

Staff Presenter: Dave Hoerath with Mat Alldredge, DOW

Public Comment

Marcia Barber, Sugarloaf Mountain, Boulder, CO, expressed her concern regarding harassing wildlife on open space property. She acknowledges that Mountain Lions are obscure and need to be studied, however, she strongly opposes aversive conditioning and collaring lions that are not causing problems. Lions are very territorial and she feels that driving a lion out of its territory will not have a positive effect. She is opposed to using dogs to chase the lions and feels that great consideration should be given with regard to the humane treatment of the animals.

Jim McKee, 1037 Champion Circle, Longmont, CO, strongly supports the CDOW proposal to study Mountain Lions along the urban Front Range. Jim feels that this study is as important to the lions as it is to the people. If there is an increase in the number of attacks there will be more pressure to hunt the lions in an attempt to decrease their population substantially. Jim feels that it is important to study and understand the feeding behavior and the movement patterns of lions, where people recreate and feels that we need to use all tools necessary to do the job.

John Rankin, 231 Horsfal Street, Boulder, CO, strongly supports the objectives of the study and feels that it is needed for the safety of the lions as well as the people.

Wendy Keefover-Ring, 1911 11th Street, Ste. 103, Boulder, CO, stated that she supports the study with reservations. Wendy distributed to POSAC, a public opinion survey conducted by CDOW, the protocol CDOW has established for dealing with mountain lions and the prospectus that Dr. Ken Logan is using in his mountain lion study on the Uncompahgre Plateau.

Dr. Logan's study has objectives and strategies and outlines goals that are clearly established with regard to how the study is conducted. Wendy insists that CDOW be held to the same standards and feels that they are capable of doing gold standard work. The goals, objectives and protocol are not clear in the paper presented by the CDOW nor is the study area made clear.

David Baron, 2338 18th Street, Boulder, CO 80304, volunteer naturalist for BCPOS has written a book entitled "The Beast in the Garden", about human and mountain lion interactions. Through

the process of writing the book, he interviewed 200 people in the area. In general, most people are ambivalent and are eager for practical solutions for co-existence with mountain lions. David feels that this project/study is a pragmatic approach to the situation.

Debbie Pentz, 2557 Briarwood Drive, Boulder, CO, supports the CDOW project as a pilot study and commented on several mountain sightings in her neighborhood.

Linda Senser, 1767 Four Mile Canyon Road, Boulder, CO, commented on the mountain lion population on the Benjamin property and feels that the issue needs to be addressed.

Rita Anderson, 4811 Whiterock Circle, Boulder, CO, commented that the increase in mountain lion sightings corresponds to the increase in human population in the area.

Michael Bauer, 5540 Stonewall Place, Boulder, CO, spoke in support of the mountain lion study but feels that there are too many unknowns to move forward with the study presented by CDOW at this point.

Discussion/Questions by POSAC:

Lisa Dilling commented that she is in support of gathering information on this topic and that it is timely, however she expressed concern about the methods and the project itself. She feels that the CDOW memo does not provide enough information regarding the project and pilot study.

Dave Freddy, Mammals Research Leader, CDOW, responded that he has several talented carnivore researchers on staff who have been involved in cougar management guidelines. Mr. Freddy stated that there is a lot of information available about the natural history of mountain lions but what remains unknown is if their behavior can be altered in a proactive, functional, and humane manner to change their probabilities of interacting in an urban setting. The pilot study proposes to test some of these techniques on a small scale. He stated that there is an approved study plan and animal care and use oversight and that all of the protocols have been approved. Christine Quinlan asked if it is possible for CDOW to provide this information to POSAC. Yes.

Janice Moore asked if the peer review is all in-house. It is both internal as well as external. Janice asked Mr. Freddy if he is familiar with the concept of preparedness within an animal behavior context? Yes. To the extent that some of the techniques are based upon what the cougar is prepared to learn you could a priori predict that they (given techniques) might work better. This would be an important consideration. Mr. Freddy replied that a functional example is the fact that cats dislike dogs, which is why hounds are effective with hunting and depredation. Janice Moore also expressed concern about the sample size. Is it more effective to look at data on incidents and if in fact the incidents are caused by a certain subset of the population, for example young male cats. Janice commented that she is not clear why CDOW is not focusing on known incident cats versus a random selection of cats that may not be causing problems. Mr. Freddy replied that in a pilot study, CDOW wants to simplify what they think they have to learn to do a larger study. Mr. Freddy commented that it is known that incidents are usually caused by sub-adult lions. A project could be designed to focus on sub-adults if there is a capture technique that is socially acceptable and the target animals can be captured and there are aversive management

tools that can be tested. The point of this study is to test aversive techniques and to be able to demonstrate that the cats can be caught in a socially acceptable manner.

Sean McCoy suggested tabling the issue in light of comments made by some members of the public as well as POSAC members regarding CDOW providing more detailed information on the project and the pilot study. Christine Quinlan asked when this issue is scheduled to go before the BOCC? This issue will not be scheduled before the BOCC for at least a month.

Motion

Jason Vogel moved to table this agenda item until POSAC has had the opportunity to review the entire study plan (at the April POSAC meeting) and Sean McCoy seconded the motion. ***Motion carries on a vote of 7 to 2. David Batts and Christian Meyer opposed.***

Discussion on Motion

Jason Vogel commented that as a responsible public body it is important that POSAC review the entire study proposal before making a decision. Sean McCoy concurs. Lisa Dilling asked for clarification from staff regarding the process. Janice Moore commented that she would like to see more detail on the study and acknowledges that it is an important issue that needs to be studied. David Batts reiterated that there appears concern with the study methods and the time lines. How will the results of the study be reported to POSAC over time? Mr. Freddy (CDOW) commented that the pilot study would be conducted for a 10-14 month period, if there are certain levels of success with the pilot study, the project could run 3-10 years. It is a multi stage project and progress reports would be conducted annually. The cats will be monitored intensively. Christian Meyer feels that he has enough information to support the motion although he appreciates the information that POSAC is seeking. Jason Vogel asked (CDOW) for pros and cons regarding the techniques. Melanie Muckle commented that the questions the study is seeking are important questions and that she is prepared to support the study but wants to make an informed decision. She feels that POSAC and the public are entitled to a lot more detail.

Heil Valley Ranch – Northern Trailhead Planning: Summary of Public Comments

**Information Only*

Staff Presenter: Summer Adamietz

See Staff Memo for Detail on Presentation.

Discussion

Christian Meyer asked for clarification regarding the Town of Lyons Master Plan with regard to Bohn Park and the established timeline. Summer Adamietz explained that the Bohn Park Master Plan update is a completely different issue. With the trailhead project timeline, there will be a variety of alternatives regarding the trailhead and the connections. Christine Quinlan clarified that the alternatives that come out of the Bohn Park Master Plan are a subset of the alternatives that will be presented through a public process for Boulder County to adopt. Summer Adamietz confirmed that this correct and provided additional information on the trailhead. Jason Vogel asked if Red Gulch Road will be used in the interim. Summer replied that Red Gulch Road is not under consideration as an interim parking lot. And that *No Parking* signs will be placed there. Jason Vogel asked about Red Gulch Road as an alternative to Bohn Park. Summer replied that

there are a variety of factors that have been considered including access points, capacity, and the number of vehicles all of which will be detailed in the plan that will come before POSAC for review.

Public Comment

G. Eubanks, 403 Red Gulch Road, Lyons, CO, commented that most residents in the Red Gulch Road area oppose the trail in this area for several reasons including the fact that the road is dangerous, it has a hairpin curve and is narrow with ditches on both sides. It is also a wildlife corridor. Highway 36 would be the best option for a trailhead for many reasons and would diffuse some of the politics within the Town of Lyons.

Management Policy Update

Staff Presenter: Larissa Read

**Information Only*

See Staff Memo for Detail on Presentation.

Discussion

David Batts commended staff for all of their work and suggested that the foothills and montane forest be looked at separately as they are very different ecosystems with different users, constraints and different factors influencing those areas. Looking at these ecosystems separately would facilitate better site-specific management planning. Janice Moore commented that she is glad to see this management plan come to fruition. Jason Vogel commented that it would be of great use to study human management countywide due to the fact that visitation on open space is destined to increase as the population in the Front Range continues to grow. Larissa Read replied that the County will be looking at visitor use as a component in future management policies.

Public Comment

None.

Director's Update

Ron Stewart reported that a trail conditions web page is being updated on a weekly basis and that we (BCPOS) have put up trail condition signs on kiosks at Heil, Hall and Rabbit Mountain Open Space properties. Ron also reported that we are currently working with the City of Boulder on an educational campaign.

We are in the process of rebuilding the Niwot Loop trailhead. The Twin Lakes Open Space updates are nearly complete. The Boulder Canyon trailhead will be temporarily closed due to significant water issues that need to be corrected to make the trail more sustainable. The BOCC has made a decision to decrease the size of the POSAC to nine members. Ron distributed to POSAC a list of small grants awarded for resource management.

Discussion by POSAC:

Christian Meyer suggested that POSAC host a session at the COSA conference in the fall of 2007 regarding how business is accomplished in a growing open space program and will send an email to POSAC members to input.

Adjournment

The meeting adjourned at 10:50 p.m.