

**MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE ADVISORY
COMMITTEE, April 26, 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, Mary McQuiston, Christian Meyer, Melanie Muckle, Christine Quinlan, and Jason Vogel.

Excused: Sean McCoy, Lisa Dilling and Janice Moore

Staff in Attendance

Rob Alexander, Mark Brennan, Jim Daus, Ellen Flannelly, Pascale Fried, Kevin Grady, Dave Hoerath, Vivienne Jannatpour, Ron Stewart

Election of Officers

Christine Quinlan opened the nomination of officers. Mary McQuiston nominated Christine Quinlan as chair, approved unanimously. Christine Quinlan nominated Melanie Muckle for vice-chair, approved unanimously.

March 22, 2006 , Meeting Minutes

Christian Meyer moved to accept the March 22, 2007, minutes. Jason Vogel seconded the motion (with a spelling correction on his last name). *Motion carried unanimously.*

Public Participation for Items not on the Agenda

Jim Fitzpatrick, 6166 Old Brompton Road, Boulder, CO, presented to POSAC a petition signed by several neighbors in support of restoring the James Open Space property to its previous (irrigated) agricultural use. The adjacent property owners are concerned about the current condition of the property, which has become infested with weeds and colonized with prairie dogs.

Chuck Bingans, 6119 Chelsea Manor, Boulder, CO, also spoke in support of restoring the James Open Space property to its previous agricultural use.

Staff Discussion

Mark Brennan, POS Resource Management staff, addressed the public concern and told POSAC that he, Tina Nielsen and Mr. Fitzpatrick had recently met and discussed the situation, which is of concern to the County. The property is designated as a MOA , which allows prairie dogs. Prairie dog barriers on the property have not been an effective management tool in controlling the population. There are migration issues with adjacent properties that are colonized by prairie dogs.

Rob Alexander, POS agricultural staff explained the agricultural lease and irrigation history of the property. The property would be economically viable if irrigated and returned to agricultural use but would necessitate extermination of the prairie dogs.

Questions/Discussion by POSAC:

Chris Meyer asked if active management or barrier methods are best for managing prairie dogs. Mark Brennan explained that part of the problem is that there is no predator base to control the prairie dog population. Chris Meyer asked that this property be considered when the Prairie Dog Management Plan is updated. David Batts asked about adjacent property owners and their plan for managing their property with regard to prairie dogs. Christine Quinlan commented that she appreciates the neighbors approach in bringing the issue before POSAC and also the responsiveness of staff to address the issue. She questioned whether efforts to control the prairie dogs would be successful if under City open space policy lethal control of prairie dogs on adjacent City open space property is not allowed. It will be necessary for property owners to coordinate management efforts. Christian Meyer asked if the BOCC honors the petition, what steps would take place? Mark Brennan replied that based upon the size of the colony, at least a month of trapping would be needed as well as re-vegetation efforts. Melanie Muckle asked about objectives of the MOA, i.e. agricultural use and prairie dogs. The property has not had an agricultural tenant for about 10 years. Ron Stewart explained the challenges in managing open space properties when there are conflicting interests and incompatible uses. David Batts asked if other remedies have been addressed.

Motion:

Chris Meyer made a motion and recommended that staff pull together more information with regard to what is workable with adjacent property owners and prairie dog management and return to POSAC with a recommendation. Jason Vogel offered a friendly amendment with regard to managing the land, for example, would the County be willing to subsidize a tenant if the property were returned to agricultural use. *Motion carried unanimously.*

Discussion on the Motion:

Christine Quinlan commented that it is understood that the County needs the latitude to prioritize and that POSAC understands that this issue is complicated and may not be immediately addressed.

Volunteer Contributions

Staff Presenter: Pascale

**Information Only*

Discussion by POSAC:

Melanie Muckle asked what types of volunteer efforts are needed at the Wall Street Assay office? Staffing needs when open to the public.

Property Transaction: Dodd Farm (New Hinman Ditch)

**Action Requested- Recommendation to BOCC*

Staff Presenter: Jim Daus

A proposal to relocate a portion of the New Hinman Ditch to the north side of Niwot Road and convey a corresponding easement to the irrigation ditch company. See Staff Memo for Detail on Presentation.

See Staff Memo for Detail on Presentation.

Discussion:

None.

Public Comment:

None.

Motion:

Mary McQuiston moved to accept staff recommendation and Melanie Muckle seconded the motion. *Motion carried unanimously.*

Property Transaction:

** Action Requested- Recommendation to BOCC*

Schmidtman Property

Staff Presenter: Jim Daus

4.03 acre mining claim purchase near Wall Street. See Staff Memo for Detail on Presentation.

Discussion:

None.

Public Comment:

None.

Motion

Melanie Muckle moved to accept staff recommendation for the acquisition of the Schmidtman property, and Christian Meyer seconded the motion. *Motion carried unanimously.*

Discussion on Motion

None

Property Transaction: Jump

** Action Requested- Recommendation to BOCC*

Staff Presenter: Jim Daus

Two mining claims (8.77 acres total) near Wall Street. See Staff Memo for Detail on Presentation.

Discussion:

None.

Public Comment

None.

Motion

Melanie Muckle moved to accept the amendment as presented, and Christian Meyer seconded the motion. *Motion carried unanimously.*

Property Transaction: Boulder County Land Venture

**Action Requested- Recommendation to BOCC*

Staff Presenter: Ellen Flannelly

City of Louisville request for right of way for drainage on Boulder County Land Venture Open Space. See Staff Memo for Detail on Presentation.

Discussion/Questions by POSAC:

Christine Quinlan commented that when releasing land from the protection of a conservation easement for infrastructure each request should be thoughtfully considered by POSAC. Ellen Flannelly responded that the County does not do this lightly.

Front Range Cougar Pilot Study:

** Action Requested- Recommendation to BOCC*

Staff Presenter: Dave Hoerath — CDOW Presenter: Matt Alldredge

See Staff Memo for Detail on Presentation.

Questions by POSAC:

David Batts asked for clarification and more detail regarding how will the cougars be located and trapped.

Staff/CDOW Discussion:

Matt Alldredge replied that for example on City Open Space collared deer are used to locate the cougars when there is a kill. On County Open Space the most effective and the preferred method will likely be using “hounds on leash.” David Batts asked with regard to aversive conditioning what is the threshold for determining habituation. CDOW replied that this is in part what the pilot study will determine, i.e. how much activity is there in residential areas. Mary McQuiston asked where the cats will be captured in relation to the residential areas, is there consistency with sites where the cats will be captured? CDOW will be focusing on open space properties that are close to residential areas. In these areas the use of hounds may not be feasible. Melanie Muckle asked for clarification on protocol regarding cats in urban areas. How many cats are routinely moved and/or euthanized? There were six cats relocated in Boulder County last year. There are concerns with hazing cats that are not causing problems. Are there figures on how many cats die during capture? There are no current figures; however, in Chuck Anderson’s cougar study in Wyoming there were no fatalities. In general, there is a 2.4% fatality rate with snares. During cougar studies in the 1980s there were one or two mortalities due to drugs used, the current drugs being used are much safer than they were 20 years ago. Jason Vogel thanked Matt for being so responsive to POSAC’s request for more information on the pilot study and explained his understanding of what CDOW is asking of POSAC. With regard to the objectives outlined, he

has no objection to objectives numbered 1 and 2, with regard to the other objectives there are concerns with the aversive conditioning, which may need be addressed in the Long Range Study.

Public Comment:

Patrice Spitz, 239 Pine Tree Lane, Boulder, CO read a letter with 20 signatures to POSAC urging POSAC to approve the Cougar Pilot Study.

Rich Fozzard, 226 High View Drive, Boulder, CO, (High Brook Hills suburb) told POSAC that his dog was killed by a cougar on his deck at his home. He feels strongly that cougars in the area have lost their fear of humans and have become habituated. He is concerned about the safety of his family and supports the study.

Discussion by POSAC:

Christian Meyer supports the concept of the study and feels that it is important in determining the possibility of coexistence with cougars.

Motion:

Christian Meyer moved to support the Cougar Pilot Study as outlined with the assumption that information gathered will be folded into a long range study. David Batts asked for clarification on the motion, (referring to the memo from CDOW) on where research is permitted and types of techniques that are acceptable for capture. Is this included in the motion? Christian Meyer replied that his motion refers to the techniques and areas as outlined by staff. David Batts seconded the motion.

Discussion on the Motion:

Jason Vogel emphasized that he does not feel that the pilot study is clear with regard to specifics on which cats will be subjected to aversive conditioning. Jason Vogel asked if CDOW will be coming back to POSAC after the pilot study to relay the results of the study, this is not outlined in the memo and it should be clear. Mary McQuiston asked for clarification with regard to what POSAC is being asked to approve with regard to the aversive conditioning techniques discussed. The motion is based upon the information presented in the staff memo and it is unclear when the different techniques will be needed and used. The criteria is not clear, there will be a judgement call and Chris stated that he is willing to trust staff and CDOW's judgment. Christine Quinlan commented that it is tempting to want to get at the feasibility of the techniques but it is also likely that POSAC will be making a recommendation in the future based upon the information that is gathered from the pilot study. Jason Vogel read from the staff memo "aversive conditioning will be applied to collared cougars if and when they show habituation to humans in urban areas and are in inappropriate situations with humans. He feels this statement is open to interpretation and he is not comfortable with using aversive conditioning with random cougars, he is however, comfortable with it if the cougars who are a nuisance. Dave Hoerath, POS Resource Management staff commented that there will be parameters in the research permits and that "good cougars in good situations will not be hazed." David Batts asked that results be presented to POSAC within a year. Christine Quinlan commented that she is comfortable with the study and that she appreciates the fact that CDOW has been responsive and understands that POSAC cares deeply about this issue.

Director's Update

Twin Lakes Open Space

Dedication ceremony set for Friday, May 24, 3pm.

POSAC Communications Protocol

(handout: memos from Conrad Lattes)

- Ideally, any discussion between POSAC members should happen on the record at the public hearing.
- Individual members are free to discuss public business via email with other individual members. However, serial emails from one member to another, and then forwarded to another, have been held to be public meetings under the law.
- Correspondence that involves communication between three or more committee members is prohibited under Open Meetings Law unless it has been publicly noticed and is open to the public (which would be impossible for email correspondence unless conducted on a blog that was open to the public).
- Emails from one POSAC member to more than one other POSAC member must be copied and distributed in the POSAC packets along with other correspondence from the public at large (i.e., comments from Wendy Keefover-Ring regarding the mountain lion study as requested by and sent to Jason Vogel).

POSAC Retreat

(handout: topics suggestions)

- June 16, 2007 at the Goodhue Farmhouse
- Discussion of Topics

Adjournment

The meeting adjourned at 9:25 p.m.