

**MINUTES AND PROCEEDINGS OF THE
PARKS AND OPEN SPACE ADVISORY COMMITTEE
August 23, 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 (arrived 7:02 p.m.), Christian Meyer (arrived 6:55 pm), Janice Moore (arrived 6:45 pm), Melanie Muckle, Christine Quinlan, and Jason Vogel.

Excused: Mary McQuiston

Staff in Attendance

Summer Adamietz, Mark Brennan, Jan Burns, Jim Daus, Therese Glowacki, Vivienne Jannatpour, Rich Koopmann, Tina Nielsen, Larissa Read, Ron Stewart, Brent Wheeler, Chris White.

June 28, 2007 Meeting Minutes

Lisa Dilling moved to accept the June 28, 2007 minutes. Melanie Muckle seconded the motion. *Motion carried unanimously.*

Public Participation for Items not on the Agenda

None

Property Transaction: Hester Investment Trust * Action Requested- Recommendation to BOCC

Acquisition of mining claim west of HESSIE trailhead.

Staff Presenter: Jim Daus

See Staff Memo for Detail on Presentation.

Discussion

Melanie Muckle asked how the property would be accessed. Jim Daus answered that discussions are to continue the old HESSIE Road across the river. There used to be a bridge there. Melanie Muckle asked how many owners are applying for access. Jim Daus answered 2 or 3. Christine Quinlan asked if the price of \$10,000 is reasonable given that there is no legal or physical access to the property. She asked if this would also be a reasonable value if the property were used in a possible future trade with the Forest Service. Jim Daus answered that even if the property were never used in a trade with the Forest Service, \$10,000 are a reasonable market price and worth paying for the preservation of the property. David Batts asked if this property still had its mineral rights. Jim Daus answered that there is no record of severed mineral rights.

Public Comment

None

Motion

Melanie Muckle moved to accept staff recommendation for the purchase, and Jason Vogel seconded the motion. *Motion carried unanimously.*

Discussion on Motion

Melanie Muckle said this is a gorgeous property and hopes no adjoining landowners have a chance to put in roads before the County acquires those parcels.

Property Transaction: Ebel

** Action Requested- Recommendation to BOCC*

Acquisition of a mining claim near Eldora

Staff Presenter: Jim Daus

See Staff Memo for Detail on Presentation.

Discussion

Lisa Dilling asked why this property costs more than Hester? Jim Daus answered that the property is more valuable because of accessibility and its location close to development and close to the ski area.

Public Comment

None

Motion

Melanie Muckle moved to accept staff recommendation for the purchase, and Lisa Dilling seconded the motion. *Motion carried unanimously.*

Discussion on Motion

None

Staff Recommendation for Hunting on Former BLM Land

Staff Presenter: Larissa Read

** Action Requested- Recommendation to BOCC*

See Staff Memo for Detail on Presentation.

Discussion

Jason Vogel commented that there are fewer than six hunters and that no conflicts and hardly any recreational uses have been reported in this area. Why would we want to make a change that would only create a conflict with the six people that do use the area for hunting? Larissa Read answered that the discussion is larger than that. Hunting is currently not used as a management tool and it would be difficult to manage hunting in those areas. Jason Vogel responded that allowing or not allowing hunting needs to be further discussed when it comes to small parcels that are surrounded by properties on which hunting is allowed. David Batts asked if we are managing land (vegetation for prey, etc.) to support hunting? Larissa Read answered no. Janice

Moore asked if hunters would be able to move to the adjacent Eldorado state park without major inconvenience, if the area is closed. Larissa Read: Yes. Christine Quinlan asked if hunters access the area via the State Park. Larissa Read: Yes. Melanie Muckle asked if the area is signed. Larissa Read: In general, due to the terrain, there are no signs. There are signs where the trails cross from the state park to Parks and Open Space land. Also, POS staff recently added signs on some of the old roads that might provide an access point. Jason Vogel asked if it is possible to run hunting license administration through the state park. Chris White answered that Eldorado State Park provides no management of hunting—they don't have enough staff. He also noted that legal access to the crosshatched area is not possible when carrying a firearm and that the area is a little bit easier to patrol than it used to be in the past. Janice Moore asked the decision not to allow hunting to be communicated in a considerate way, since people were looking forward to the opening of hunting season. Larissa Read answered that education and signage would be primary means for communication rather than citations.

Public Comment

- John Nibarger, 1514 East Weldona Way, Superior, is an occasional hunter and disagrees with the staff recommendation. Disallowing hunting would be quite an inconvenience for people who hunt there. Parks and Open Space should provide some areas for hunting that are further away from higher use areas.

Motion

David Batts moved to accept the staff recommendation as presented, and Christian Meyer seconded the motion. ***Motion carried unanimously.***

Discussion on Motion

David Batts stated that it is really important to have consistent regulations. We don't currently know what the impact of hunting is on the land and how we would need to manage it. He welcomes that a wildlife policy plan is going to come out and hopes that the discussion will be holistic and will include the Forest Service and adjacent landowners. Sean McCoy notes that deviating from consistency often causes conflicts and that consistency is key. Jason Vogel supports disallowing hunting for now, but would like the desires of the hunting community to be included in the future discussion not just as a management tool but also as a desirable type of recreation. Janice Moore said she is very much for consistency but would like this to be eased in after the opening of the hunting season. Educating people on the first day of the season would have negative repercussions. Jason Vogel: Since there haven't been any conflicts, enforcing this should be on the bottom of the list for the Rangers. We don't need to push the issue. Lisa Dilling said, we should bring this property into compliance. There is other land—even higher quality land—adjacent to the property. It is unfortunate that some people will be affected, but we need to sign it and let people know what is happening. Christine Quinlan pointed out that this motion is not about an overall discussion of hunting and that there will be a public process for that in the future. Melanie Muckle expressed her concern that the hunting community was not present. She suggested that when they are informed of this, they should also be told about the upcoming Walker Ranch Management Plan revision as their next opportunity to voice their concerns. Larissa Read: The next opportunity to voice their concerns should ideally be the wildlife policy discussion, which concerns all properties, rather than the Walker Ranch Management Plan revision. She pointed out that the area under discussion is currently not considered part of

Walker Ranch but will be included in the Walker Ranch property at the Walker Ranch Management Plan revision.

Marshall-Superior-Coalton Trail Corridor Management Plan

Staff Presenter: Larissa Read

Consultant Presenter: Dean Pearson, Architerra Group

See Staff Memo for Detail on Presentation.

** Action Requested –Recommendation to BOCC*

Public Comment

- Mike Barrow, 802 Sherman Street, Longmont, Boulder Mountain Bike Alliance, finds this a very good development and an excellent trail opportunity. He is concerned about the construction price. He asked for a single track, parallel to and at a five-foot distance from the existing ADA trail for runners and bikers and believes they will otherwise avoid the existing trail.
- Elizabeth Dolan, 1735 Rock View Circle, Superior, would like the wildlife habitat in the area of the trail to be protected.
- Eric Vogelsberg, 1345A Bear Mtn. Drive, Boulder, Boulder Area Trails Coalition, is delighted to see trail connections happening, feels alignments are well planned, strongly suggests a single track alongside ADA trail for the southern section to allow people to not be on the gravel; he believes it would happen anyway.
- Dave Skinner, 1655 Rock View Circle, Superior, is delighted about the construction of the trail system, has concerns about access trail south of reservoir affecting wildlife and disturbing neighbors.
- John Nibarger, 1514 Weldona Way, Superior, Open Space Advisory Committee for the Town of Superior, is tickled pink about these trail connections, would like to see a third neighborhood access trail considered (near top right point of trail where it is “M”-shaped).
- Linda Behlen, 2750 Vassar Drive, Boulder, doesn’t like gravel surface, supports a second single-track trail along ADA trail.

Discussion

Christine Quinlan asked if Boulder County will pay for the total cost of the trail or if Superior and the City of Boulder will bear part of the cost. Dean Pearson: The north segment will in general be paid for by Boulder County funds. The cost of the connections might be shared by Superior. For the southern part federal funding is in place. Larissa Read: no single-track was planned because it is not part of Parks and Open Space policy to build parallel trails. Jason Vogel asked to have clarified if a natural surface single-track is proposed for the future on the south segment. Larissa Read: No, only on the north section. Brent Wheeler: From his experience with crusher-fine trails (as opposed to gravel trails), people typically stay on the trails and no parallel trails are created. He does not believe that a narrow tread next to an eight-foot-wide crusher-fines trail would meet the needs of visitors. Jason: We have here a unique combination of both, regional wider trails used for commuting and single-track recreational trails. The southern stretch joins the two. So over the 2.6-mile segment he suggests to serve both kinds of experiences. Dean Pearson: There are significant slopes on half of the 2.6 miles. It’s going to cost more and make the disturbance bigger. Brent Wheeler: Adding a single-track parallel to the eight-foot-wide trail would cause considerably more disturbance. Adding a single-track elsewhere in the vicinity would be less costly but would broaden the impact in the corridor. Christine Quinlan asked if the

proposed costs are reasonable. Brent Wheeler responded that the cost estimate is fairly conservative but not far off from the market price if you look at the true costs involved. Brent Wheeler clarified that federal funding does not prevent building a single-track. However, the Federal Government only funds wider surfaces. Janice Moore is concerned that if trails were separated, they would have a significantly higher impact on wildlife, since the in-between areas would be disturbed. Jason Vogel said the cost of the southern trail was due to the eight-foot-wide crusher fine; half the cost of the northern side was due to the bridges. Brent Wheeler added that the need for emergency access also increases costs. Jason Vogel: The different impacts of parallel trails versus separated trails should be discussed. Janice Moore clarified that she is only concerned for wildlife if trails are separated. Ron Stewart: The department's experience has been that most people find the eight-foot-wide crusher-fines trails adequate and that there are few complaints about them. Jason Vogel: believes that the bikers desire a more natural surface. Such a trail could not be strictly parallel. The question is whether building such a trail is worth considering.

Motion

Christian Meyer moved to accept the management plan as presented, and Lisa Dilling seconded the motion. ***Motion carried unanimously.***

Discussion on Motion

Christian Meyer believes that the single-track should be discussed via a second motion rather than an amendment. Lisa Dilling believes the single-track can be discussed in the future and that this motion is really about creating a regional loop.

Second Motion

Jason Vogel moved to add a **second motion** to ask staff to seriously consider an additional single-track trail alongside the ADA trail on the southern section of the trail plan. Christian Meyer seconded the motion. ***Motion passed 6 (Jason Vogel, David Batts, Christine Quinlan, Lisa Dilling, Christian Meyer, Sean McCoy) to 2 (Janice Moore, Melanie Muckle).***

Discussion on Motion

Jason Vogel noted that there are examples where parallel trails have been “burnt in” and believes it would be good management to avoid that by providing such a trail before this happens. Such a trail would also join both, the regional and the urban trail experiences. Christian Meyer agreed: “If you build it they will come, if you don’t build it they will come”. Brent Wheeler pointed out that this might involve changing the connecting trails, i.e. the Coalton Drive and the Mayhoffer Singletree Trail, as well. He also pointed out that the existing parallel trails are not quite comparable to this project. Lisa Dilling thinks that planning a single-track trail is a big request and questions whether it is important enough to be elevated above other projects. Jason Vogel believes the possibility for year-round trail use and proximity to people’s homes merits further consideration. Janice Moore would like staff to determine priorities in comparison with other projects. Christian Meyer believes this needs to be discussed since a portion of the public is asking for this.

Benjamin Property Interim Management Plan

** Action Requested- Recommendation to BOCC*

Staff Presenters: Summer Adamietz and Ron Stewart

See Staff Memo for Detail on Presentation

Follow-up Questions from POSAC:

Christian Meyer asked if the increased priority assigned to the development of the Benjamin management plan would affect the prioritization of other projects. Ron Stewart answered that there will not be a reconfiguration of other current priorities. Ron Stewart also clarified in answer to Christian Meyer that under the proposed plan, pedestrians and equestrians could be anywhere on the property and not only on social trails. Ron Stewart confirmed that on northern Betasso it is legal for pedestrians and equestrians to go off the trail and that this provides another legal way to access the Benjamin property.

Public Comment

- Mike Barrow, 802 Sherman Street, Longmont, Boulder Mountain Bike Alliance, feels frustrated and disappointed. This plan means mountain bikers will be effectively excluded from the Benjamin property for almost four years while pedestrians and equestrians can continue to access the property legally. He finds the process generally unequal: science shows that the initial 5% of use (such as the establishment of trails) causes 95% of resource damage. Allowing the property to remain open to any use will result in further resource degradation. Secondly, he finds the County's planning process painfully slow: he believes that resource and recreation planning can take place at the same time. In this way Colorado State Parks created a 35-mile shared-use trail system in one year. He believes that County staff should be able to create a resource management plan and start the facilities construction process by next August; 10 miles of trails could be completed by August 2010. Instead he was told the management plan would be completed in 2010 and facilities development would begin afterwards. He estimates that at the County's current rate of production, the property would be available for recreational use between 2015-2020. Until then the resources would be further degraded by unmanaged use. He suggests that if the County does not have the capacity to undertake this project it should contract it out. He has observed that other agencies are more productive and cost effective with less volunteer help in comparison to the County's volunteer projects. The work the County does is good, but the county should work more efficiently.
- Linda Behlen, 2750 Vassar Drive, Boulder, Boulder Valley Cycle Alliance & Boulder Junior Mountain Bike program, spoke on behalf of the approximately 15 high school kids in her program and their parents. They are concerned about the availability of mountain bike recreation within cycling distance from Boulder. They consider mountain biking a very wholesome activity: the kids don't drink or do drugs, but enjoy riding their bikes daily after school. Most of them don't drive or, if they do, are not allowed to give their friends a ride. They enjoy the Betasso link trail. She mentioned on the side that they would like it to be exclusively for mountain bikers. They would like biking trails of the quality of Heil & Hall Ranch within cycling distance of Boulder. She welcomed that the planning for this property has been made a high priority. Some of the kids tried Arkansas and thought it was very challenging. She noted that if the trails are in such a bad shape, it might be better to close the property to everyone. She asked for a speedy planning & construction process.

- Alec Uitti, 1750 30th Street, Boulder, would like to echo the feeling of mountain bikers. He finds the trails in the Marshall Mesa area pretty tame: the Benjamin property trails have the potential to be very high quality or even world-class trails. He finds 15% grade very exciting. He hopes the planning and trail construction can be accelerated with some of the recommendations and with volunteer work from the BMA. He has been involved in that and finds it to be a great program
- Mark McIntyre, 2045 Balsam, Boulder, finds it disingenuous to declare the property open, yet turn the only legal access into a non-parking zone and believes it would be better to close the property and thereby put pressure on staff to open it correctly. He points out that mountain bikers are actually the only group that can access the property legally without a parking conflict. He believes something is wrong if it takes several years before a trailhead can be built. He points out that trail damage on the Benjamin property looks similar to some of the Heil Ranch trails. He found the presentation to be phrased in the negative and would prefer a more proactive management that welcomes the user.
- Barry Karlin, 111 Alaska Road, Boulder, speaking on behalf of himself and his neighbors, thanked the staff for their work and for their openness to comments. He expressed his concern about whether the area can be effectively patrolled. He asked Parks and Open Space to take into consideration that more patrol staff might be needed. He is encouraged by the POS' Park Host program and would be willing to participate.
- Eric Vogelsberg, 1345A Bear Mountain Drive, Boulder, BATCO, BMA, mentioned that the property presents unusual challenges due its previous use. He does not feel comfortable with the interim plan and recommended that all existing uses be allowed but not encouraged while the management plan is being developed. This would create some impetus to complete the plan and would keep all groups equal. He pointed out that on the Reynolds and Twin Lakes properties the county allowed existing uses while the management plan was being developed. He advocated looking at the bigger picture: the damage caused by the existing use has been done and is not going to go away or become significantly worse, particularly if the plan is accelerated. If existing user groups are excluded they will move elsewhere and cause the damage there. He believes they would move to the BLM properties and that the same problem would have to be addressed again in the future. He believes that if the existing uses are acceptable, all groups should be allowed to continue their use and the damage that occurred on the property should be rectified as soon as possible. If they are not acceptable, the property should be closed. He believes they are acceptable, particularly if the plan is accelerated. He also pointed out that it would be easier to advertise the sales tax if the county didn't buy a property with it only to close it.
- Bret Gibson, 443 Camino Bosque, Boulder, Fourmile Canyon Fire Chief, clarified that the Alaska Road access, the only legal access to the Benjamin property, is situated on a corner of the road which the Fire Department uses as a turning circle for its fire trucks. He stressed that, in contrast to the information given in the county's document, there are no parking spaces in that corner, since it is reserved for use by the fire trucks. He explained that the road that goes up to the Logan Mill community is an extreme hazard area and that Alaska Road is the worst road in that area. If cars were allowed to park there, fire access would be effectively blocked off. Regarding the enforcement issues, he points out that the social trails are actually criminal trails and were created in plain view of the open space below. He concludes that the enforcement promised by the county to alleviate parking issues does not exist or is not adequate to the task. In conclusion, he stressed that from a public safety

standpoint the Alaska Road access should not be publicized and urged the county to not open it until it is prepared to handle the consequences.

- Eugene Gitin, 1197 Weaver Drive, Boulder (neighbor) stressed that the property is a very fragile and delicate ecosystem that provides resources for many animals. He supports staff recommendations to exert tremendous restraint and urged Parks and Open space to get the management plan right the first time.
- Christine Adams, 48 Alaska Road, Boulder (neighbor), asked for the property to be closed to pedestrians and equestrians due to the road access issue and to mountain bikers due to the erosion caused on the property.
- Scott Streetmeyer, 310 Wendelyn Way, Boulder (neighbor), is happy about the purchase and looks forward to a future sustainable trail system. He pointed out that the property is accessed via roads that are maintained by residents and would like the impact on the neighborhood to be taken into consideration. He believes the possibility of accessing Benjamin via Betasso should be publicized. He urges the county to have comprehensive parking and traffic management plan in place before the property is opened to the public: a single parking sign is not sufficient to ensure access to the neighborhood for residents and particularly emergency access; any traffic in that area could have very dire consequences.
- Marcia Barber, Mountain Pines Road, Sugarloaf, Boulder (neighbor), thanked staff for their recommendations to preserve the Benjamin property. She rode horseback through Betasso with Ernie Betasso and believes the mountain bike community does not understand that the Benjamin Open Space is being put into an existing historic residential community. She believes that it is of utmost concern to consider the impact on the residents. She pointed out that Ernie Betasso established the trails over 40 years ago and therefore, historically, they would be for equestrian use. Mountain bike trails into Fourmile Canyon have cut right into the core part of flora and fauna in the area; there have been lots of fears of running into mountain lions, yet now trails are put into prime mountain lion habitat. The residents witness mountain lion activity every day and she fears that the lions would be disturbed by the honeycomb trails that mountain bikers create. She views Mr. Vogelsberg's comment that mountain bikers will create illegal trails elsewhere if they are not allowed to use the ones they have already made as a threat. She finds that attitude disgusting and would like it to be stopped. She said that residents have become very upset with mountain bikers. If the mission of Open Space is wildlife conservation and the preservation of historical use, nobody should use open space as an amusement park. People should be able to share and whoever can't share should be eliminated.
- Gail Gitin, 1196 Weaver Drive, Boulder (neighbor), informs the county that a no-trespassing sign she and her husband put up well within their property boundary was taken down and torn. She believes mountain bikers took it down. She said she felt shocked and would like the county to be aware of the attitude and aggression.
- Nancy Kemp, 1203 Weaver Drive, Boulder (neighbor), thanked staff and finds the interim plan very smart. She says that right now residents know where the mountain lions live, but that if mountain bikers disturb the lions, living next to them with small children will become a much bigger safety issue. She would like this to be studied and asks the county to take time to get the planning right for the long term.

Discussion

Ron Stewart stated that with staff's dedication the management plan will be completed in eight to 12 months, not years. An additional planner is about to be hired at Parks and Open Space and will be writing this management plan immediately upon hire. Also, a resource analysis has already been done by ERO, which will move things forward more quickly. Regarding the law enforcement issue, he pointed out that the County Commissioners recently concluded in consultation with the attorney that they can delegate the responsibility of writing parking tickets to the rangers. This should improve their ability to enforce the no-parking zone. He stressed that the county has never had the intention of creating parking spaces at the Alaska Road access point and does not believe any parking along the upper Benjamin boundary would be advisable. He pointed out that Parks and Open Space's first priority regarding CIP programs is the Wild Turkey Trail at Heil Valley Ranch and the trail connection from Heil into Lyons, which he hopes do be completed by next fall. He suggested that Benjamin could be given second highest priority in the upcoming CIP program revision.

Motion

Sean McCoy moved to accept the amendment as presented, and Melanie Muckle seconded the motion. ***Motion failed 6 (Janice Moore, Jason Vogel, David Batts, Christine Quinlan, Lisa Dilling, Christian Meyer) to 2 (Melanie Muckle, Sean McCoy).***

Discussion on Motion

Sean McCoy said there is a lot of damage to the property. Staff is dedicated and will do their best. He doesn't like hearing threats to create new trails. Melanie Muckle feels that a good balance has been struck with the interim plan. Christian Meyer says it is a gift to have this headache and would like the bipolar factions come together for the final management plan like Twin Lakes. He is in no hurry to get things done but prefers to get things done right. Lisa Dilling said POS should close the property to all to preserve the property without being divisive. She would like POS to protect the property for now but to move towards sustainable use quickly. Jason Vogel stated that the interim plan is prejudicial against mountain bikers and that it would only create problems. David Batts said the property can't remain open. We have a combination of high quality resource value, erodable soils and unsustainable trails. Leaving it open would set a bad precedent. It would mean that bikers end up creating the trails. Janice Moore asked why staff recommend this interim plan rather than the closure of the property. Ron responded that there are currently dozens of open space properties without management plans that have been left open without designated trails and are being used mainly by the neighbors. Summer Adamietz added that Benjamin has a little over four miles of mountain bike trails, Betasso 4.6 miles, and in total Boulder County Open Space has 76.2 miles of trails that are open to mountain bikes, 35 miles of those are natural surface trails. Christine Quinlan: supports the follow-up motion. She finds that the trails in use today on Benjamin are completely unsustainable and unsafe for most people. She feels that POSAC listens well to the mountain bike community. She did not appreciate the comment about the sales tax.

Motion

Jason Vogel moved to end debate, and Christian Meyer seconded the motion. ***Motion carried unanimously.***

Second Motion

Jason Vogel moved to recommend to the BOCC to close the Benjamin property to all uses until the final management plan can be put in place, and Lisa Dilling seconded the motion. ***Motion carried unanimously.***

Director's Update

- Lagerman Improvements
- Niwot Improvements
- OSAC Agenda for your review (handout), please respond to Tina Nielsen with comments and suggestions
- Stakeholder meeting summary (handout)

Adjournment

The meeting adjourned at 10:10 p.m.