

**MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE
ADVISORY COMMITTEE,
February 26, 2009**

The meeting was called to order at 6:30 p.m. by Christian Meyer in the Hearing Room of the Board of Commissioners, Third Floor, Boulder County Courthouse, Boulder, Colorado.

POSAC Members in Attendance

Present: Sue Cass, Paul Jurasin, Mary McQuiston, Christian Meyer, Janice Moore, and Jason Vogel (arrived at 6:35).

Excused: David Batts, Lisa Dilling, and Eric Hozempa.

Staff in Attendance

Mark Brennan, Renata Frye, Therese Glowacki, Scott Golden, Wayne Harrington, Conrad Lattes, Susan Spaulding, and Ron Stewart. Ryan Ludlow (Land Use) was also in attendance.

January 22, 2009 Meeting Minutes

Paul Jurasin moved to accept the January 22 minutes, and Christian Meyer seconded the motion. *Motion carried unanimously.*

Public Participation for Items not on the Agenda

None

Prairie Dog Management Plan Update

**Information Only*

Staff Presenter: Mark Brennan

See Staff Memo for Detail on Presentation.

Questions

Christian Meyer: Does the County have any metal fence barriers like the City of Boulder has on Valmont? Mark Brennan: We've tried those on various sites, such as Monarch Park. It wasn't really a full barrier, just really for the conflict area. We're trying another type with the City of Longmont, along our property out by Quicksilver; that will be our first implementation of a different design. We'll see if it works; they are very expensive. We really like to limit those to small colonies with major conflict issues. Once we put them in, the maintenance should be fairly low, due to their robust design. Jason Vogel: What happens if the Department of Interior comes back with a designation of the prairie dogs? What does that mean for our management of these creatures on our open space? Mark Brennan: We don't know for sure. We've had discussions with the U.S. Fish & Wild Life Service biologists regarding what will happen. We need to

consider if there will there be a difference in management needs or protection status along the urban Front Range verses the more rural landscapes. One of the things they told us that they have to consider is whether enough scientific evidence exists to support the petition to list the prairie dog. It won't be an endangered species status, but more of a protected species status. We would put together a habitat conservation agreement with the Fish & Wildlife Service which gives us a certain amount of allowance for a type of take of the animal during our management, which will be already agreed upon. That would be the worst-case scenario for us, if it goes through. We'll see in June, and then have a dialog if it does go forward. Jason Vogel: I'm curious if there is any dialog between agencies such as POS, that are successfully managing these animals, and an agency at the federal level that has a tendency to pass a uniform rule across all landscapes. Mark Brennan: The Habitat Conservation Plan Allowance already exists. The Preble's Jumping Mouse, which is a federally listed species, is a good example of our ability to set our own conservation plan. Jason Vogel: Are you saying that a relationship already exists between Boulder County and the Department of the Interior? Have they recognized you as a qualifying entity for management purposes? Mark Brennan: They will recognize us when we approach them to address this species listing. That will happen after their decision is made regarding the prairie dog designation.

Public Comment

- Nick Jancewicz, 4567 Tally Ho Trail, Boulder County. He lives next to the County's Johnson-Coen parcel. In the last few years the prairie dog populations have exploded in that area. Most of the field is full of weeds. The County put up chicken wire at that time, which helped to slow them down. In 2007 prairie dogs came into his yard, digging burrows and causing other damage. In 2008 the County began taking other steps. The trapping didn't seem to help, but the lethal steps did make a difference. He appreciates the County's efforts and he hopes they will continue in the future.
- Mike Altebern, 4571 Tally Ho Trail, Boulder County. He also lives in the area adjacent to the Johnson-Coen parcel. He got an immediate response from Mark Brennan and staff after he called about prairie dog problems and he appreciates the work they do. He hopes homeowners' voices will be heard on this issue.
- Paula Martin, 860 36th St., Boulder, CO. She is here on behalf of Keep Boulder Wild, a consortium of several environmental and animal rights groups. She is a biologist who has worked with prairie dogs for nineteen years. She advocates using Corona Hill Open Space in Lyons for a potential relocation site. The Town of Lyons has already passed a resolution to support this relocation.

Therese Glowacki: It was recommended that POS look at Corona Hill as a possible relocation site. This is an area of fewer than 20 acres for this use. He have considered it, and although it does require vegetation restoration, our staff will consider relocating prairie dogs there once the vegetation has rebounded. It's a balance to restore a functioning system with native plants for these habitats.

**Consideration of Disposal of Open Space Property
For Purposes of a Community Biomass Sort Yard**

Staff Presenters: Ron Stewart, Therese Glowacki, & Conrad Lattes

**Action Requested -
Recommendation to BOCC*

See Staff Memo for Detail on Presentation.

Questions

Sue Cass: If the IGA were amended for the Ridge Road property, would it amend the whole property, or just the 3 to 5 acres? Conrad Lattes: It's up to the parties. For either of these proposed properties, the County would likely carve off a 3- to 5-acre section for this use. This would be called a "community facility lot split", subject to a limited impact special review process through Land Use. I think the intention is that the remaining property would stay within POS management. Christian Meyer: So I understand, the Commissioners would need to approve a change in the Land Use code to even consider the sale of land for this type of purpose, a biomass sort yard? Conrad Lattes: Yes. Janice Moore: I'm concerned about how this will be presented to the public. I can see that could be seen as positive step in response to the beetle infestation. On the other hand, I can see the argument that next time they will take open space and put jails on it. That could affect support for open space in the future. Conrad Lattes: The County has been very conscious of that, and has held several community meetings in Nederland. POS also held a focus group meeting last week with various environmental groups to see what they thought about this use of open space and the slippery slope issue. Tonight the room is not packed [with people against the idea], so that says something. Therese Glowacki: We have been soliciting input from the public, even through email, and through stake holders who we feel understand open space and why it was created. So far the responses have been divided. Approximately one-third have said open space should not be used for this purpose, one-third think that the pine beetle epidemic is a big enough issue that something should be done and might warrant using an open space property; but some of those did not think we should use Reynolds Ranch because it's a large property. They thought a smaller property like Ridge Road, with less habitat value, would be more appropriate. Another third said the use is appropriate at any site we choose. Christian Meyer: I understand that there is public request for this. but it this just noise on the problem? I appreciate that POS is trying to make a difference, but if one site burns 1,100 tons per year, where are the other 10 sites they will be needed to burn all the wood? Therese Glowacki: We don't know exactly how much of this material will be coming in that we'll need to dispose of. This isn't being done elsewhere in the state. The western slope, which has a huge pine beetle problem, doesn't have the same population density that we have here. We are concerned with public health and safety. We do not envision clearing out every tree that has been infested. We want to help property owners that are clearing away trees that have died that are close to their houses, or allow them to have a defensible space around their homes if a fire does break out due to dead trees. There may be a need for more of these sites, but there is no way to really know. Christian Meyer: Previously, when we sold a property subject to a conservation easement, it has been very specific and detailed. This isn't, and the information doesn't talk about mitigation or terms. Why is the proposal coming to us in this form? Ron Stewart: Before it would happen, we would present all of that. If you choose to proceed with either site, the terms would be specific to that site. We are focusing more on having a lease, which is temporary and would mean that the land would come back to the County as open space.

Mary McQuiston: Is the question that we recommend that this is an appropriate use for open space? Or would you like us to make a recommendation between the choice of site and the ability to dispose this property? Are those the two questions? Ron Stewart: Yes, I think it's all of that. You should consider if it is appropriate; then consider if it is appropriate for both parcels or for only one, or neither. I have no problem with coming back, after the Land Use process, with a more precise definition of what the disposal would be. Mary McQuiston: How do the adjacent property owners feel about this? Therese Glowacki: Most think it is a good idea, but they do not want the activity adjacent to them. Ryan Ludlow (Land Use): Two recent community meetings were held. The December 15 meeting, with about 30 attendees, was more educational and the participants indicated they were seeing evidence of the Mountain Pine Beetle epidemic. We did have a great deal of support for the sort yard at that meeting, but no site selections were announced. At the second meeting on January 26, we presented Reynolds Ranch and Ridge Road as potential sites. About 30 people attended. There was overwhelming support for a biomass sort yard in the Nederland area. Overall, we only heard opposition from people who didn't want it in their back yard. Jason Vogel: I share the concern about how non-specific this agenda item is and I feel uncomfortable selecting a particular site for this. The biomass sort yard sounds like a good idea. However, none of this information about the public input process that we are now hearing about was included in our packets. There are trails on both these properties that I recreate on. How long would the temporary sort yard be there? Could it be 50 years? I have so many questions that have not been addressed. Therese Glowacki: Our process for the last year has been trying to find a site that is not on open space. We have considered a whole list of properties, and as late as Monday we were looking at a potential site on private property. The Commissioners have made this an urgent priority. This is really just a first step, asking if this is an appropriate use for open space, then give the details. Ron Stewart: This isn't unlike the first presentation on a management plan that we are working on, where your opinions and input can help fashion what ultimately comes to you. If you feel that there is not enough information, we at least would like to know what your sentiment is because that would be helpful in future meetings with BOCC and the Town of Nederland. Paul Jurasin: Are we sure that this should be a public operation? Is there a viable business potential here, sorting and selling usable raw materials? Therese Glowacki: The forest industry doesn't have a presence on the Front Range. With the Mountain Pine Beetle epidemic, there is a lot of interest on the private side to come in and try to make some use of this. Colorado Forest Products has a website that is trying to get private industry involved in this. The Land Use code would allow it, but the County is not trying to develop these markets. We are reacting to a need that arose. Ron Stewart: So much of the material is not marketable so that a business person probably would not be willing to take on this cost just to get a limited amount of good material. Sue Cass: Is there any danger of spreading the beetles with the dispersed salvage materials? Therese Glowacki: There is a danger of that. We haven't made a final decision as to whether we will accept infected wood from mid-July through mid-September, which is the beetles' flight season. Janice Moore: Is the purpose simply to assist property owners to get rid of wood that is infested, rather than control the spread of the epidemic? Therese Glowacki: Correct. The goal is not to try to stop the epidemic, because that would be impossible. The point is to assist property owners to make their homes safer.

Public Comment

None

Motion

Christian Meyer moved that recommendation to BOCC to dispose of open space property for purposes of a biomass sort yard is acceptable, and Mary McQuiston seconded the motion.

Motion failed 3 to 3.

Discussion on Motion

Christian Meyer: This is setting a precedent and we need to be very careful. I am not comfortable recommending one property over another at this time, but I am willing to have the County explore the option. Jason Vogel: I recreate in both these areas. When it's time to provide more details, please don't exclude the impacts on recreation and on neighbors and the ecosystems. Janice Moore: I'm concerned about the precedent and wondering why, if there is such an overwhelming demand for this facility, why POS is the only organization that can respond to that need. Paul Jurasin: I think the precedent is too dangerous. I also wonder why no one from the community is here to express their desire for this. Sue Cass: I have a problem with the term "dispose". Mary McQuiston: I also have a problem with disposing of the land and what the process will be. Will there be any money changing hands? Ron Stewart: We use the term "dispose" because that's what the sales tax resolution says. It could be a lease, but still be considered a "disposal". Jason Vogel: I don't believe that we can't see specifics before we decide on a property. I will not support this motion because I don't understand what I'm supposed to vote on.

Motion 2

Sue Cass moved to remove the Reynolds Ranch property from consideration for disposition for the purpose of a biomass sort yard, and Janice Moore seconded the motion. ***Motion failed 4 to 2.***

Discussion on Motion

Jason Vogel: I disagree with this motion, due to the lack of information that has been provided. Sue Cass: I disagree. I think we have a great deal of information. Janice Moore: I believe that this motion is simply eliminating one property from consideration due to its wildlife value. This does not mean that we are embracing the other one. Christian Meyer: I don't have enough information to take Reynolds Ranch off the board.

Director's Update

Ron Stewart asked that POSAC members vote to go into an Executive Session after the meeting to discuss properties currently under negotiation.

A letter was sent to POS signed by many of its agricultural tenants asking for permission to plant Roundup Ready Beets on County open space. Roundup Ready Beets are a GMO (Genetically

Modified Organism). Currently GMO corn is allowed under a protocol saying that no other GMO can be planted on County open space without the approval of the Commissioners. POS would like to have a joint meeting that will include POSAC and a new Boulder County committee called the Food and Agricultural Policy Council. There will be an initial meeting to hear information and public testimony. There will be a second meeting when POSAC will have the opportunity to recommend this to BOCC. This initial meeting would take place in March or April and would not be on the regular monthly POSAC agenda, but it would be an evening meeting.

POSAC members indicated they would participate in such a meeting.

Adjournment

The meeting adjourned at 9:10 p.m.

After adjournment, POSAC members conducted an Executive Session, which was closed to the public, to consider properties currently under negotiation.