

OPEN SPACE BOARD OF TRUSTEES

Minutes

Meeting Date November 12, 2014

BOARD MEMBERS PRESENT

Tom Isaacson Shelley Dunbar Frances Hartogh Molly Davis Kevin Bracy Knight

STAFF MEMBERS PRESENT

Mike Patton Jim Reeder Mark Gershman Linda Vandervort Lauren Kolb
Heather Swanson Will Keeley Steve Armstead Don D'Amico Alyssa Frideres
Leah Case Phil Yates

CALL TO ORDER

The meeting was called to order at 6:02 p.m.

AGENDA ITEM 1 – Approval of the Minutes

Tom Isaacson said on page 2, under Agenda Item 4, it should read, “Tom asked staff to give an update at the next meeting on Skunk Canyon because the Preble’s meadow jumping mouse restrictions will be lifted at the end of November.” Shelley Dunbar said the next paragraph should read, “Shelley Dunbar asked for an update on trailhead poop bag dispensers and dog poop signs.”

Shelley Dunbar moved to approve the minutes from Oct. 23, 2014 as amended. Tom Isaacson seconded. This motion passed unanimously.

AGENDA ITEM 2 – Public Participation for Items not on the Agenda

Randy Winter, Boulder, expressed his concern for the pass-through gates at Left Hand Trail. He said these gates are dangerous for equestrians as they are difficult to operate while on horseback. He suggested leaving gates open when there are no cattle in the area. Another option would be to change the configuration of the gate so it opens away from where the horse is passing through. In addition staff could raise the chain on the gate so it is easier to reach and/or add a mounting structure on either side.

Mike Patton said the decision to use self closing gates was made because users were not shutting gates after going through. Tom asked staff to come back with additional solutions rather than the self closing-gates.

Suzanne Webel, Longmont, suggested staff put in warning signs for bikes (to slow down) near the new Highway (Hwy) 93 underpass. She introduced the Boulder Area Trails Coalition (BATCO); some of their group’s information was presented and she invited the Board to reach out to them. They have a new edition of their trails map which now includes the West Trails Study Area (TSA). The net proceeds from map sales will be used for trail projects in Boulder County.

AGENDA ITEM 3 – Director’s Updates

Research Program

Will Keeley, Wildlife Ecologist, gave a presentation on various Open Space and Mountain Parks (OSMP) research projects.

Frances Hartogh suggested doing an update on this each year. Tom asked if there are plans to organize research studies on the Website so they are easier to sift through. Mark Gershman said the best way to find information is through the library at Cherryvale. Will added that information in this library can be searched by keyword, but the Website currently does not have this capability. Tom suggested putting

together a compendium of this information to get a sense of the species on OSMP property compared to other areas. Will said the long-term sustainability project was focused on this, but was sidetracked with the flood.

Voice and Sight Tag Program

Steve Armstead, Environmental Planner, gave an update on the Voice and Sight Tag Program.

Frances asked what enforcement will look like when the program starts. Steve said the initial intent will be to put more emphasis on education. Rangers will be stopping anyone who is in violation of the rules, including not having the correct tag. If it is their first contact, it is likely only a warning will be issued. Frances asked if staff will increase their presence in the field. Steve said in addition to updated signs, rangers, trail guides and outreach staff will all be present in the system. He added that given the scale and interest of this program there should already be a pretty broad understanding of the rules. Frances asked if staff will be formally tracking compliance. Steve said the formal monitoring study which includes compliance takes place in the spring and summer. Shelley suggested offering more education classes on the weekends. Steve said staff continues to monitor the most popular times for classes, and will increase classes for those days/times. Shelley said staff could increase the number of e-mails that get sent to program participants. It would also be wise to make sure City of Boulder veterinarians are familiar with the rules of the program and what will be required for rabies vaccination. Steve said the Finance Department will do this outreach once the dog licensing process is in place.

Council retreat questions for Boards and Commissions

Mike Patton, Open Space and Mountain Parks director, reminded the Board that City Council will be having its retreat, and the Open Space Board of Trustees (OSBT) needs to provide feedback on the questions for next year's Boards and Commissions. Tom asked Board members to send their ideas to staff who will combine answers into one document. The Board will finalize this at the next meeting in December.

Prairie Dog Relocation

Heather Swanson, Wildlife Ecologist, gave an update to the Board on the several areas where OSMP is relocating prairie dog colonies.

Frances asked what the average cost is of relocation. Heather said it depends vastly on the site, but it is fairly high. Frances asked what the recovery/survival rate is. Heather said there have not been great studies for this. It is believed that if they are put in a good area they are likely to survive.

AGENDA ITEM 4 – Matters from the Board

Kevin said he is going to Skunk Canyon on Sunday to look at additional trail options. He invited the Board or staff to join him if they are interested.

Molly complimented OSMP's Natural Selection hikes. They are really great and offer a good variety of lessons/programs.

Tom asked if staff is keeping tabs on the Colorado Department of Transportation (CDOT) project along South Boulder Creek and monitoring to make sure habitat is being protected. Mark said all of the work is taking place within the CDOT right-of-way.

Tom asked if Boulder Falls is the only area that is still closed on OSMP. Mike said yes; there is a contractor scheduled to look at this area and give a proposal for possible alignments. Tom asked if preliminary steps with the City Attorney Office (CAO) have been taken. Mike said yes, and staff will keep the Board updated on the progress.

AGENDA ITEM 5 – Consideration of a motion to approve a Conservation Easement (CE) amendment on the property owned by the Graham Casden 2009 Trust at 5097 Flagstaff Rd.

Linda Vandervort, Conservation Easement Specialist, gave a presentation to the Board explaining a potential amendment to a CE. OSMP staff supports this amendment because it improves the original CE and is a benefit to the OSMP program.

Molly Davis asked if the proposed greenhouse will actually be 20 feet high. Linda said not necessarily, but that is what the architect approved in order for it to be self sufficient. Kevin asked if the owner would be able to replace this structure in the future. Linda said it is written so the only approved structure is a greenhouse. Frances asked if the reflection off of this building will reflect onto the surrounding trails. Linda said no; non-reflective glass as well as drapes and plants will be used to prevent this.

Public Comment

None.

Return to the Board

No further comment.

Motion

Shelley Dunbar moved the Open Space Board of Trustees approve the conservation easement amendment on the property owned by the Graham Casden 2009 Trust at 5097 Flagstaff Rd., as written in Attachment F, and waive the amendment fee. Tom Isaacson seconded. This motion passed unanimously.

AGENDA ITEM 7 – Consideration of a motion to approve a CE amendment on the property owned by Epaka Holdings, LLC at 8104 N. 63rd St.*

Linda Vandervort, gave a presentation to the Board explaining a potential CE amendment. OSMP staff supports this amendment because it improves the original CE and is a benefit to the OSMP program. In particular, it supports local organic food production and preserves agricultural operations in Boulder County as well as further restricts development on the property.

Staff and the Board praised Alice Starek, the property owner, for her good work on this property. It has been vastly improved.

Public Comment

None.

Return to the Board

No further comment.

Motion

Kevin Bracy Knight moved the Open Space Board of Trustees approve a conservation easement amendment as shown in Attachment F on the property owned by Epaka Holdings, LLC at 8104 N. 63rd St. and waive the amendment fee. Shelley Dunbar seconded. This motion passed unanimously.

AGENDA ITEM 8 – Consideration of a motion pertaining to development of a trail on the Joder OSMP property.*

Mike Patton gave a presentation to the Board on the Joder property.

Kevin asked when the North TSA would begin. Mike said even if the TSA were to begin now, it would likely be up to two years before anything would happen on the ground. Frances asked if access to Joder became a priority, what would have to come off of the current staff work plan. Mike said if there was agreement to just make a trail connection using the existing road bed, it would have less of an impact to the work plan. Tom said given the other priorities included in the TSA it may be beneficial to leave Joder out. Frances asked if people can access the property by vehicle. Mike said there is no parking currently allowed at the Joder property, but there are several areas close by that can be used.

Public Comment

Suzanne Weibel, Longmont, said the Joder Ranch is the heart and soul of the horse community. She knew the Joder family well, and they were big supporters of this ranch, the people and the horses. She believes they agreed to sell this property to OSMP with the understanding that the trails would be open to the public and accessible to horses. Other user groups such as mountain bikers and dog walkers should be allowed on portions of this property as well. Staff should make sure horse trailer parking is included in the plan. This will help complete the regional trail connection. She thanked the Joder family for preserving this property. She said Boulder County Horse Association (BCHA) and BATCO are willing to help where needed.

Raymond Bridge, on behalf of PLAN-Boulder County, urged the Board to move forward with the public process. He said planning should take place for each continuous area. It would be a huge mistake to start off with various user groups drawing lines on the map prior to doing the inventory. Trying to shortcut the TSA would be a big mistake.

Dan Ault, Boulder, said he owns the property on either side of Joder. He would like OSMP to open up Joder for public use. The historic nature of this area is a horse property; it should continue to be accessible for horses. He noted that this would also allow for another evacuation route from his property. He supports moving forward with this.

Mike Barrow, Lafayette, said he recently hiked on the Joder property. He said making this area a Habitat Conservation Area (HCA) outside of a public process is hard to support. He would like to see the many biking trail options utilized. Regional trail connectivity is important to Boulder residents and this is a step in the right direction.

Linda Parks, Boulder, said she supports opening the existing trails on Joder. She would like to see horse use on this property; she has spent many years riding in this area and would enjoy the trail connection to the Beech Property. Staff should look at other parking alternatives as crossing the highway is concerning.

Karen Hollweg, Boulder, said she and Friends of Boulder Open Space (FOBOS) would support addressing this trail development as part of the North TSA. Staff should complete the resource inventory prior to public involvement and trail planning. It is better to plan for a large area versus small areas separately. FOBOS urges staff to do a resource inventory and analysis.

Dan Joder, Boulder, said his dad would be very happy that this land is going into public domain. He would advocate for an inclusive process for all user groups considering as many different options and possibilities as possible. When this property was sold, it was with the understanding that it would go through a public process. His dad would be very happy if equestrians could be retained in whatever plan goes forward.

Caroline Roy, Niwot, said she supports taking the time to really look at the property and use it in a way that honors the ecology and wildlife; be thoughtful about the use and be inclusive.

Larry Langert, Boulder, said he has boarded his horses at the Joder property since 1990. He said this is a wonderful property with many trail options, and it should be open to the public as soon as possible.

Eileen Monyok, Boulder, said she and Friends Interested in Dogs on Open Space (FIDOS) support the Joder property being open as soon as possible. Providing these additional trails would help relieve some of the pressure on Open Space as well as provide a good opportunity for all user groups. It sounds like the North TSA is a long time away. The Joder ranch has always been a recreational property, so it seems odd that it is now an HCA; this is something that could be looked into a bit further. FIDOS would like to see Voice and Sight opportunities on the property.

Janet Chu, Boulder, said she encourages staff to do a thorough inventory of the area before allowing public use. She supports multi-use, but there needs to be an inventory of rare plants and butterflies. If staff was to open up the existing road for a trail connection, she would be concerned that social trails may be formed which could cut through sensitive habitat.

Pat Kentwell, Boulder, said they have had horses at Joder since 1999. Staff should continue to hold equestrians in an honorable way on this ranch.

Marcus Popetz, Boulder, said opening this trail now seems like a win-win. The community would get the connector trail, parking should not be an issue, and the impact should not be too high. He supported putting in the connector trail now, and then continue with the North TSA at a later date.

Lori Fuller, Boulder, said this property has a history of recreational use. This area is part of a more robust management plan. There will be a considerable lag before a proper study can be done. It makes sense to default to the precedent use of the property, recreation.

Return to the Board

Tom asked if there is currently equestrian access. Mike said no. Tom asked if staff feels like they know enough about the ecological condition of this area to make a judgment about a designated trail. Mike said staff has done an inventory but not an analysis. The Board could choose to limit access to on-trail access only, so the impacts would be relatively minor. Tom asked what would happen to trails that are currently there. Mike said nothing until the TSA is done. The only trail that should be opened is the road connecting Olde Stage and Hwy 36; a narrow use of existing infrastructure. Tom asked if the Board chose to proceed with simply opening the trail for a connection, how long would that defer the North TSA. Mike said this would require further conversation and to look at the work plan for 2015 and 2016.

Shelley asked where people are currently able to park. Mike said there is parking at the Foothills Trailhead or at Buckingham Park. Shelley asked if equestrians and hikers would have easy access to this property. Mike said no; parking on the property should be discussed as part of the TSA. Shelley said it becomes unfair to some user groups such as equestrians who would not have access. Mike agreed that parking would be limited. Frances asked why this area was designated as an HCA. Mike said there is a high level of ecological values. Mark added that it is adjacent to the HCA that was designated through the Visitor Master Plan (VMP), so it is a continuation of habitats. This is also an area where globally-imperiled butterflies live; it is one of the very few habitat patches upon which global success relies. Tom said there was no discussion when this HCA was put to a vote; the Board would have liked to have more discussion when deciding this. Molly asked about the difference between the stand alone trail connection decision and going through the North TSA. Mike said the first would address the immediate interest in a trail connection. The second would require a much more in-depth long-term process. Shelley said there was a lot of use on the areas discussed in the West TSA prior to the actual process; it would be possible to do a TSA where there is already visitor use. Kevin suggested looking at parking modifications so that access is more equitable.

Tom said the VMP calls out the TSA process, however, in the past council has decided to take large issues out of a TSA process if necessary; if it makes sense to deal with Joder on its own, that would be consistent with past decisions. Frances asked if dogs would be allowed if the connector trail was opened prior to the TSA. Mike said that is up to the Board. Kevin said that by allowing access now people could see the area and have better buy in for the TSA process. Frances said opening this process prematurely sets a dangerous precedent. Molly said she is concerned that separating this out of the TSA will be troublesome. It would be beneficial to do research prior to allowing use in the area. She expressed concern for the staff work load, and being able to complete flood mitigation projects.

Motion

Shelley Dunbar moved the Open Space Board of Trustees recommends that visitor access to Joder property should be considered prior to the North TSA process and ask that staff return to this Board with some options for that access that would utilize existing trail networks and roads as much as possible. Kevin Bracy Knight seconded. This motion passed three to two; Frances Hartogh and Molly Davis dissented.

ADJOURNMENT – The meeting adjourned at 10:12 p.m.

These minutes were prepared by Leah Case.

APPROVED BY:

Tom Isaacson
Board Chair

DATE