

Approved 2/18/15

OPEN SPACE BOARD OF TRUSTEES

Minutes

Meeting Date December 10, 2014

BOARD MEMBERS PRESENT

Tom Isaacson Shelley Dunbar Frances Hartogh Molly Davis Kevin Bracy Knight

STAFF MEMBERS PRESENT

Mike Patton Jim Reeder Dave Kuntz Tracy Winfree Mark Gershman
Cecil Fenio Don D'Amico Alyssa Frideres Heather Swanson Kelly Wasserbach
Phil Yates Annie McFarland Steve Armstead Leah Case

CALL TO ORDER

The meeting was called to order at 6:00 p.m.

AGENDA ITEM 1 – Approval of the Minutes

Tom Isaacson said under Agenda Item 8, “exiting road bed” should be “existing road bed.” He said during public comment on page 5, “Ray Bridge was speaking on behalf of PLAN-Boulder County.” “Janet Choo” should be changed to “Janet Chu.” On page 5, under Return to the Board, the language should read, “so it is a continuation of habitats.” On the same page, change the wording to, “Mike Patton said the only trail that should be opened is the road connecting Olde Stage and Hwy 36.”

Shelley Dunbar moved to approve the minutes from Nov. 12, 2014 as amended. Tom Isaacson seconded. This motion passed unanimously.

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

Randy Winter, Boulder, thanked staff for making changes to the self-closing gates and allowing them to be locked open when cattle is not in the area.

Joel Koenig, Boulder, said staff has spent too much time on the Skunk Canyon property. The trail work that has taken place is great, but there are a lot of other areas in the system that need focus.

Crystal Gray, Boulder, spoke about her time on the Open Space Board of Trustees (OSBT) and her time with Mike Patton. She thanked Mike for all he has done over the years and wished him well in his retirement.

AGENDA ITEM 3 – Director’s Updates

Wildlife Program Update

Heather Swanson, Wildlife Ecologist, gave a wildlife program update.

Frances Hartogh asked what defines an imperiled species. Heather said it is a rare or endangered species, typically with a state or national designation. Frances asked if future planning or decision making will be adjusted if studies show that species have significantly changed in number. Heather said variation from year to year is typical; however, with significant changes an area may be looked at more closely. Kevin Bracy Knight asked why there is such a high density of grasshopper sparrows. Heather said there is a good combination of tall grasses, few roads, and characteristics of a vegetation community. Frances asked if there is a scientific standard for the number of years needed in order to give accurate data for monitoring. Heather said no; although the longer the study the more accurate it will be.

Council Retreat Questions for Boards and Commissions

The Board finalized their responses for the council retreat questions for Boards and Commissions. Their final responses will be sent to City Council for its study session.

AGENDA ITEM 4 – Matters from the Board

The Board took some time to thank Mike for his time with Open Space and Mountain Parks (OSMP).

The Board asked for an update on the Voice and Sight Tag Program. Steve Armstead said over 4100 people have gone through the education class and tag registration is underway. The education classes will continue to be offered into 2015, most likely slowing down in February.

Kevin thanked staff for the changes made to the self-closing gates. Molly Davis asked if there is a plan to repair the stairs on the trail from Chautauqua into Gregory Canyon. Jim Reeder said staff is looking into this. Frances asked the public to stay on trail even when it is muddy.

AGENDA ITEM 5 – Consideration of a motion pertaining to the development of a trail on the Joder Open Space and Mountain Parks property.*

Mike Patton, OSMP Director, presented the staff recommendation for the Joder Property.

Tom asked if Boulder County is okay with putting in parking. Mike said yes. Tom asked if that would need to wait for the North Trail Study Area (TSA). Mike said not necessarily. Tom asked if the conversation about parking were to move forward, how long it would take for work to start happening on the ground. Tracy Winfree said there would need to be coordination with other agencies; at a minimum it would be six months out. Molly asked about determining the parking lot specs. Tracy said staff would contact Colorado Department of Transportation (CDOT) first, and then do a traffic study. Molly asked if an inventory of resources has taken place. Dave Kuntz said yes, but the planning process has not started. He said the public process is important and staff would like to come back to the Board to talk about what would be appropriate for this. Molly asked about the soil composition and if staff has a good handle on this. Dave said additional soil testing has not taken place. Molly asked about the existing trails and if staff can tell how they would handle heavy use. Mike said soils do not differ dramatically across the land; the existing road and two-track have been there for a long time.

Public Comment

Pam Piombino, on behalf of Boulder County Audubon Society, said she values the opportunity to enjoy Open Space and the obligation to preserve the species that live there. She asked the Board to respect the TSA process. This process was designed to manage conflicting uses. Joder Ranch was purchased at the time of the Visitor Master Plan (VMP) and was already in a Habitat Conservation Area (HCA). She said it is appropriate that this area is included in the North Foothills HCA. She is interested in having access to the property, but asks that the opening happen in the right way.

Linda Andes-Georges, Longmont, said the TSA process was created for a reason. She said she is uncomfortable with the staff recommendation; please do not develop on this property or move forward with any planning outside of the TSA process.

Jason Vogel, Boulder, said having a regional trail connection is very important. Equestrians have valid concerns about the poor communication and outreach from staff which has caused a lack of trust. There is a need to rebuild that trust. Equestrians put ideas on the table that staff should evaluate. Staff has talked about this trail for a long time and it is time to move forward. It is possible to make this trail work for all user groups.

Carmen Porter, on behalf of Blazing Saddles 4-H Club, said she would like to see equestrian use sooner rather than later at Joder Ranch. She appreciates this option coming forward ahead of the TSA. Other uses such as biking should be allowed as well. Staff should make adding parking a priority.

Jim Butterworth, Boulder, said he agrees with the staff recommendation; however, he would disagree with the HCA designation of this area. The parking and trailhead process should commence immediately using a public process. Staff should also consider opening the other existing trails on the property. He is encouraged to hear from staff that the TSA could be completed in 2015.

Diana Vann, Boulder, said she loved her time at Joder, and thought that this area would always be available to equestrians. It is frustrating that this is not currently the case. There are existing trails and parking which should be utilized. Increased volume should not be an issue. She asked staff to open this area up now, and then start the study.

Kathy Hollister, Longmont, said staff should not move forward on opening up these trails until all user groups will be able to have access.

Dennis Kuehl, Longmont, president of the Colorado Horse Council, said the Joder Family was very active in their group. He said he is pleased to hear that allowing equestrians prior to the North TSA is on the table. He asked staff to make it clear that the HCA is a part of the plan if it is decided to move forward with the North TSA.

Bill Scebbi, Colorado Horse Council, said Eloise Joder was an inspirational leader who brought together many people. She was very active in many groups and Joder Ranch is a tribute to horses and horse owners in Colorado.

Jim Boeck, Boulder, said the community tax money has gone towards this land with the purpose to preserve it; please keep this in mind when making any decisions.

Alexa Schild, Boulder, said she has had her horse at Joder Ranch for the last five years. She loves having that opportunity and would miss this if taken away.

Randy Winter, Boulder, said he understands that the intention is not to ban horses, but certain decisions will unintentionally ban horses, such as not having trailer parking. He suggested separating trail use to keep conflict to a minimum. He asked staff to wait until they have completed the North TSA and the full plan is implemented before allowing any use.

Suzanne Webel, Boulder County, said Joder Ranch is important to the history of Boulder County. OSMP needs to honor its obligations in a timely matter. Joder Ranch is equestrian habitat and she would like to keep fair access for this user group. She said that rare butterflies are not enough to justify an HCA or closing access. According to the VMP, some exceptions can be designated or allowed in an HCA. The eight miles of existing trails should be available to use. During the West TSA the equestrian community lost 30 percent of existing horse trails. She said she supports opening a multi-use trail, but at the next meeting she would like staff to discuss other trails that can be opened prior to the North TSA, and have a discussion on completing the North TSA in 2015.

Susan Douglass, Boulder, said both the Board and council accepted the HCA priorities of this land. The guiding principles of the VMP required the Board to use an HCA designation. She said staff should honor the TSA process and advised that making provisional designations can tend to be thought of as permanent.

Maxine Doner, Adams County, said she has experienced the changes that have occurred over the last 25 years. There are some trails she now avoids because of these changes. Historically, Joder Ranch is an equestrian area and she would like to see this maintained. She said riding on Doudy Draw with a horse is concerning with how quickly bikes are traveling. If the decision is to make the proposed trail multi-use, it would be important to have it wide enough for both users to pass while being able to stay on trail.

Mark McIntyre, Boulder, said at an open house in 2008, new acquisitions were presented. For each of these, access was allowed but discouraged, closed or designated as an HCA. None of these areas mentioned opportunities for recreation. He said perfection is the greatest enemy of good; the OSMP definition of perfection is the greatest enemy of the common good. He asked for access to be opened now, and adjustments can be made during the North TSA.

Mark Bibb, Colorado Springs, said he understands both equestrians and cyclists and how these groups need to work together. It is a focus of his department in Colorado Springs to try and integrate equestrians into the bike community. They would prefer that user groups try to work together versus breaking up use by day. He said if staff is going to open up one of the existing trails then it would make sense to open up all existing trails.

Pat Billig, Boulder, said she strongly supports staff recommendation for the temporal division of the fast and the slow user groups. This would be a great pilot program for the city. Pat read a statement from the Joder family:

First, we need to say at the outset that we, the four Joder Family members, are much like a microcosm of the Boulder community--we each have different outdoor activities we enjoy, we have somewhat different ideas about land use in general, and we also have slightly differing opinions on what should eventually be done with the City's new acquisition. Therefore, the following points are somewhat general and may be slightly contradictory.

When we sold the property, we knowingly put our trust into the Open Space process for determining land use and we believe that, once the process is completed and all voices are heard, the right balance will have been struck.

Here are the main points upon which we have come together:

- 1) Whatever the use, we feel strongly that the impact on the biodiversity of the land be respected as much as possible. At one time or another, for example, we have seen on our ranch deer, elk, turkey, bobcat, coyote, mountain lion (once, with cubs!), golden eagle, and even bear. Care must be given within the plan so that both humans and wildlife can co-exist with minimal impact to one another.
- 2) Hiking, mountain biking, general outdoor appreciation--and especially equine activities--have always been part of the Joder Family and Joder Ranch tradition and we would like to see those activities continue on this new Open Space property, but with careful consideration to the first point.
- 3) We understand that one of the principle reasons for the purchase of this property was as a trail link for hikers, horses, runners, and cyclists transiting from Boulder to Heil Ranch and beyond. We support that objective but, again, with proper due diligence in balancing the needs of user groups with the needs of the native wildlife.
- 4) We are happy that our former Ranch is now in the public domain and will eventually be enjoyed by many generations to come. It is our belief that a balance can be struck between all the various

human users and the wild critters if everyone works together. To that end, we feel that City of Boulder OSMP should complete an appropriate planning process, with the required public input, to avoid potential long-term negative impact to the land.

Raymond Bridge, speaking on behalf of PLAN-Boulder County, said staff needs to follow the VMP guidelines and go through a planning process for each area. A lesson learned from earlier TSAs is that it is a big mistake to allow user groups to draw lines on the map prior to the TSA. Please follow the process that has been decided on by the community.

Shelley Smagac, Boulder County, said she supports having equestrian access on Joder Ranch. Staff should move quickly to incorporate this use on Joder.

Amy Bowman, Longmont, said she promised Eloise Joder that she would carry the torch for ensuring this property remains a horse property; she asked the Board to please consider that request.

Laura Edwards, Boulder, said equestrian use at Joder Ranch needs to be a priority. Please open the trails as soon as possible and make parking a priority; without parking equestrian access is not realistic. She would like to see a loop trail and, if possible, separate other user groups either spatially or temporally.

Catherine Corona, Boulder County, said she lives next to Joder Ranch and has spent many years riding her horse on this property. She would encourage staff to open these trails prior to the North TSA. If possible she would ask for staff to look at ways to help with multi-use trails. It can be tough to ride on the same trail with a bicycle.

Morgan Lommele, Boulder MountainBike Alliance (BMA), said she supports staff recommendation and this trail connection. This property was purchased with the intent to have a trail connection. OSMP should serve its citizens and open this trail as quickly as possible. She said user groups are frustrated by the way OSMP has managed this property; it alienates people by closing access for so long. She said the Board needs to hold staff accountable for its commitments and approving the staff recommendation is the first step.

Rich Boyan, Louisville, said he supports having a loop trail and agrees that the existing trails are solid and excellent. There is no reason why this should not be opened very soon for equestrian use. It would be beneficial to provide horse trailer parking as quickly as possible. Allowing use now would not significantly change the environmental impact.

Timothy Breen, Boulder, said he agrees with having a loop trail. The unintentional restriction to horses needs to be avoided. This would be a good time to make equestrian use a priority. It would be okay to structure it for multi-use, but please insure that horses do not get squeezed out of the plan.

Linda Parks, Boulder, said a study of this area should take place before opening up the property. She would like to see that equestrians are kept in mind during this process while also respecting wildlife. If it is possible to complete the TSA in 2015, that would be ideal. She noted that opening up this trail as a connector to Heil is concerning because of the inevitable increase in bike traffic.

Marcus Popetz, Boulder, moved to Boulder for the recreation. He was disappointed to find so many access issues; opening up Joder will help with density issues. It would be beneficial to open up this area prior to the North TSA, so people can get out and see the property. This will make those who are involved in the public process during the North TSA more familiar with the area.

Chris Morrison, Boulder, said the trails on Joder seem to be in great shape. He suggested making trails wide enough for multiple users, and to also allow the option for people to step off trail if needed. He would like to see a loop trail, if possible, and one that does not have to be shared with bikes.

Anne Davidson, Lyons, said she is a longtime user of Joder Ranch. The Joder Family was visionary when it came to creating an experience. This can be created again when those trails are opened up to connect with Heil. This area promotes healing, reconnecting with friends and discovering nature. She said her past experience sharing the trails with bikers have all been very positive.

Eileen Monyok, Boulder, Friends Interested in Dogs on Open Space (FIDOS), said Buckingham is currently a Voice and Sight trail, and they would like this to remain as such. FIDOS is requesting the proposed trail along the north of Joder Ranch to also be Voice and Sight. This would allow equestrians to ride along with their dogs off leash. She said she would like to see a public process to determine the HCA designation.

Jody Marken, Boulder County, said the Joder Family has a passion for the horses and for the land. We all share that passion and need to recognize Joder Ranch as an opportunity for everyone to work together. There is a saying that staff should follow, take the time to take the time it takes.

Edith Stevens, Friends of Boulder Open Space (FOBOS), said they encourage trail development on the Joder property as part of the North TSA process. City Council directed staff to look at sustainability of this property. This study on Joder has been delayed and almost forgotten. It is impossible to address sustainability when there is no data. Joder is a host for a rare butterfly and rare plants. She asked the Board if political pressure relieves them from analyzing this area before building. There is a potential to destroy these rare butterflies and plants and the Board would be directly responsible.

Karen Hollweg, Boulder, said this community is a beneficiary of an Open Space vision. The North TSA inventory and analysis should focus on the species and their needs. The short term inventory may have missed some species because of population changes. The decision about this HCA is not only about which uses will be allowed, but about the vision to preserve habitats and enable species to sustain themselves. Before starting to take more habitat and opening Joder Ranch to the OSMP visitors, the species on the property need to be protected. This requires going through the full TSA process.

Brady Robinson, Boulder, said he is a recreation conservation advocate, and connecting people to Boulder's Open Space is important. There was no public process for the HCA designation on this property. He said he supports the staff proposal. He said he believes in honoring the historic use and would urge the Board to take concerns of equestrians seriously and open the existing eight miles of trails as soon as possible.

Return to the Board

Molly asked Catherine Corona how she accesses the Joder property. Catherine said she crosses the highway from her house across the street. Shelley asked about the easement from the Joder Family for property access Catherine mentioned during her public comment. Tom said this is a legal issue and it will depend on the specific easement; staff will follow up on this at the next meeting. Molly asked Mark Bibb from Colorado Springs if he has any suggestions for OSMP on this process. He said Susan Davies is a better resource, but something they value on their Open Space property is a spirit of cooperativeness. They continue to look for ways to combine user groups in a positive way.

Shelley asked about timing for the North TSA implementation and on-the-ground changes. She said staff and the Board need to keep faith with the public and stay true to timelines. She said it should also be made clear that what staff means by completion of the North TSA may not mean that implementation is

complete. Tom said he favors the construction of the regional connector trail, and would support the staff recommendation. Mike said he cannot imagine this area not having a loop trail; it would not make sense for this not to be included.

Motion

Molly Davis moved the Open Space Board of Trustees recommend that staff proceed towards establishing one interim trail between Foothills Highway and Olde Stage Road across the Joder Property, using the existing road and trail identified in staff's map attached to the Nov. 12, 2014 memorandum, with the understanding that all uses of the Joder property will be evaluated as part of the North TSA planning process. The decision to create interim access is due to the unique circumstances and will not set a precedent. North TSA participants should not interpret this action as supporting or rejecting any other proposed action on the Joder property in the North TSA. The usual HCA rules, including the on-trail requirement, will apply to the Joder property and the interim trail through the conclusion of the North TSA process. Tom Isaacson seconded. This motion passed four to one. Frances Hartogh dissented.

Tom Isaacson moved the Open Space Board of Trustees recommend that the Joder portion of the interim regional connection trail be dogs on leash and the portion on the Buckingham property remain Voice and Sight. The North TSA process should consider whether to keep these designations in effect. Shelley Dunbar seconded. This motion passed unanimously.

Frances Hartogh moved the Open Space Board of Trustees to make the following statement about the Joder property: the Board understands and appreciates the historic use of the Joder property for equestrians and believes that this historic use should be honored and accommodated through the TSA process. Kevin Bracy Knight seconded. This motion passed unanimously.

Tom Isaacson moved the Open Space Board of Trustees make the following statement: the designation of the Joder II property as an HCA was made with minimal public process. The North TSA should take a fresh look at the management area designation of this property. Kevin Bracy Knight seconded. This motion passed three to two. Molly Davis and Frances Hartogh dissented.

ADJOURNMENT – The meeting adjourned at 11:40 p.m.

These minutes were prepared by Leah Case.

APPROVED BY:

Tom Isaacson
Board Chair

DATE