

Approved as Amended 4/13/16  
**OPEN SPACE BOARD OF TRUSTEES**  
Minutes  
Meeting Date March 9, 2016

**BOARD MEMBERS PRESENT**

Shelley Dunbar    Frances Hartogh    Molly Davis    Kevin Bracy Knight    Tom Isaacson

**STAFF MEMBERS PRESENT**

Tracy Winfree    Jim Reeder    John Potter    Mark Davison    Mark Gershman  
Bethany Collins    Deryn Wagner    Phil Yates    Cecil Fenio    Alycia Alexander  
Juliet Bonnell    Steve Armstead    Leah Case    Gabe Wilson    Don Damico  
Brian Anacker    Luke McKay    Heather Swanson    Lynn Riedel

**CALL TO ORDER**

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

**AGENDA ITEM 1 – Proclamation**

Frances Hartogh read a proclamation for Shelley Dunbar, the exiting Board Chair, acknowledging her years of service as an Open Space Board of Trustee.

**AGENDA ITEM 2 – Approval of the Minutes**

Tom Isaacson asked that Tim Hogan’s public comment be summarized and the attachment be removed from the minutes. The Board agreed that for consistency, minutes will remain a summary and handouts and/or presentations from the public can be archived on the website. Frances Hartogh said on page 3, it should be noted that Kirk Cunningham spoke on behalf of the Sierra Club. On page 5, during Mike Barrow’s public comment, it should read, “. . . for the amount of time . . .” On the same page it should read, “Dan Brillon said recreation experience on the west side is far superior. . .” In the motion language on page 8, add the word “that” after “moved.”

Frances Hartogh moved that the Open Space Board of Trustees approve the minutes from Feb. 11, 2016 and Feb. 12, 2016 as amended. Kevin Bracy Knight seconded. This motion passed unanimously.

**AGENDA ITEM 3 – Public Participation for Items not on the Agenda**

None.

**AGENDA ITEM 4 – Matters from Staff**

Jim Reeder highlighted several staff projects. Tracy Winfree introduced Mark Davison, the new Community Connections & Partnerships Division Manager for Open Space and Mountain Parks (OSMP). Staff reminded the Board about a joint Board meeting on April 27.

**AGENDA ITEM 5 – Matters from the Board**

Molly Davis said the Open Space Board of Trustees (OSBT) are tasked with a difficult job trying to balance interests. She said some interests are competitive in nature and proceedings need to be transparent; the Board needs to make sure Board actions take place during public Board meetings. There needs to be a set foundation and effort to gain back the public trust. Molly asked that a Board retreat be held as soon as possible.

Tom Isaacson noted that the Parks and Open Space Advisory Committee (POSAC) voted five to two to not take a position on the North Trail Study Area (TSA) Draft Plan.

**AGENDA ITEM 6 – Consideration of a motion to approve and recommend that City Council approves the conveyance of an easement to Public Service Company of Colorado (PSCo) for ingress/egress along a portion of the Mesa Trail to provide access to the company’s 9205 Eldorado-NCAR electric transmission line. This is a disposal of Open Space land under City Charter Section 177.**

Bethany Collins, Property Agent, presented this item.

Frances Hartogh asked if this easement would allow PSCo trucks to drive up this portion of the trail. Bethany said yes; however, staff would be given notice prior to any maintenance access. Shelley asked if this trail would be closed if they were doing maintenance work. Bethany said it may depend on the activity; if a closure were needed there would be plenty of notice provided.

**Public Comment**

None.

**Return to the Board**

No further comment.

**Motion**

**Tom Isaacson moved the Open Space Board of Trustees approve and recommend that the City Council approves the disposal of an interest in Open Space lands pursuant to Boulder City Charter Section 177 through the conveyance of an easement to Public Service Company of Colorado for ingress/egress along a portion of the Mesa Trail to provide access to the company’s 9205 Eldorado-NCAR electric transmission line, as approved by OSMP and PSCo staff and the City Attorney’s Office. Molly Davis seconded. This motion passed unanimously.**

**AGENDA ITEM 7 – \*Consideration of a motion to approve and recommend that City Council approves the conveyance of a 10-foot wide nonexclusive easement to Public Service Company of Colorado for an underground electrical line across approximately 1,000 linear feet of the Dover-Blacker Open Space property for the purpose of providing electricity to the Shanahan Ridge neighborhood. This is a disposal of Open Space land under City Charter Section 177.**

Bethany Collins, Property Agent, presented this item.

**Public Comment**

Karen Hollweg, Boulder, asked if there are stipulations in the contract that would require revegetation or salvaging of the area. Bethany said if there is surface impact then revegetation would be required.

**Return to the Board**

No further comment.

**Motion**

**Tom Isaacson moved the Open Space Board of Trustees approve and recommend that the City Council approves the disposal of an interest in Open Space lands pursuant to Boulder City Charter section 177 through the conveyance of a 10-foot wide nonexclusive easement to Public Service Company of Colorado for an underground electrical line across approximately 1,000 linear feet of the Dover-Blacker Open Space property for the purpose of providing electricity to the Shanahan Ridge neighborhood for the consideration of \$12,500. Kevin Bracy Knight seconded. This motion passed four to zero; Frances Hartogh abstained.**

**AGENDA ITEM 8 – Consideration of a motion recommending approval of the North Trail Study Area Plan and recommending the North Trail Study Area Plan to City Council for its acceptance.**

Steve Armstead, Environmental Planner, presented this item.

Tom asked if the presence of bobolinks is among the reasons for properties in the north remaining closed. Steve said yes. Tom asked if the current level of use has had an impact on the bobolink population. Heather Swanson said bobolinks are ground nesters so they are fairly sensitive; she said nesting success has not been monitored. Tom asked if nesting season is May 1 through July 31; Heather said yes.

Molly Davis asked where staff is looking for alternate horse arena locations other than Boulder Valley Ranch (BVR). Steve said possibly the new Horseshoe or Lefthand Trailhead. Shelley asked how staff came up with trail/trailhead names. Steve said a staff team came up with them.

**Public Comment**

Marty Walter, Boulder, said he is in favor of keeping the northern properties closed. There needs to be support for the lessees who have their agricultural operations on that land; do not open these properties to general use. Open Space needs someone managing these fields otherwise they could become a fire hazard.

Jiang Joy Wu, Boulder, said the northern properties should remain open for traditional agricultural use only. These areas are not traditional horse boarding facilities. Open Space has plenty of options for recreational use; but there are fewer and fewer agricultural lands.

Mike Barrow, Boulder Mountainbike Alliance (BMA), said BMA supports the Open Boulder position on the draft plan. He thanked the Board and staff for staying on schedule. He asked that after completion of this plan, staff takes the time to evaluate this process and make it better moving forward. BMA would like to work with staff on the best management practices for the Joder Trail to accomplish access and manage user conflict.

Roger Auerenamer, Boulder, said the northern properties need to remain closed except to cattle as it always has been. There are already problems with Stratton even though it is closed; opening any of these areas is not a good idea.

Alex Hycle-Wright, Boulder, said he supports making the west trail connection open for both hiking and biking. He said having a complete connection from Boulder to Lyons is an exciting possibility.

Fred Stengel, Boulder, said the northern properties should remain as agricultural land. Opening these areas will cause parking issues as well as disrupt the current process. He asked for them to remain closed.

Raymond Bridge, Boulder County Audubon Society, said the draft plan has major deficiencies. It is stated that the number one criteria is compliance with sideboards, however the content does not reflect this. The North Boulder Valley Management Plan mandates these trails be located along the edge to avoid fragmentation. The proposed North Sky Trail cuts through habitat block and maximizes fragmentation. The sideboards have been ignored in final evaluations. The resource impacts along the west connector are greater than the east. He said this plan is not ready to be submitted to council.

Eddie Stevens, Boulder, said preservation of Boulder's environment has always been the overriding purpose of its Open Space. We foster appreciation and use that sustain the natural values of the land for current and future generations. The mission statement makes it clear that passive recreation use is allowed when it sustains the natural values of the land for future generations.

Sue Cass, Boulder County Nature Association (BCNA), said they oppose placing a trail on the West Beech Habitat Conservation Area (HCA). The Rocky Mountain Greenway process may present an opportunity for cost sharing, clarification for the wetland permitting process, allow negotiations currently underway to remove Scenario B off of the HCA and onto the Conservation Easement (CE). Resolve these issues now and not later.

Pat Billig, PLAN-Boulder, supports the draft plan minus the proposed trail on the West Beech HCA. The inventory report for the North TSA makes the strongest case for the preservation of the resources in the West Beech HCA; a trail through this area will have significant impact. This trail runs counter to the OSMP mission and violates management specified for an HCA. It makes no sense to damage sustainability when it can be built in a less impactful area.

Marianne Martin, Boulder, said she is against opening the arena at Boulder Valley Ranch (BVR) to the public. A lot of changes would need to be made in order to accommodate this. As it stands, this would be a big risk; not to mention the parking lot is in the lessee's front yard. She asked to maintain the current balance.

Catherine Corona, Boulder, said she has been accessing the northern properties for years and it has been wonderful to have that access. She asked for this area to remain as-is.

Patrick Brady, Boulder, said there are a number of parcels in the north that area closed to public. The public pays taxes to support local community operations and local land; not having access to these properties seems out of line. The land in question is leased to individuals for agricultural use; if decided that they are the only ones who can use that land they should pay full market value.

Catherine Harris, Friends of Boulder Open Space (FOBOS), said it seems that we are still carrying out the history of white settlers where humans will do what they will with no regard to the land. The trail on the west was described as environmentally unsustainable; having an interesting visitor experience evidently trumps the Open Space Charter. The proposed trail on the east side goes around the HCA as prescribed by the North Valley Management Plan.

James Mapes, Boulder, said he values how open this process has been. He said the one area that deserves more of a public process is specific to the northern properties; he suggested leaving this out of North TSA plan. He added that the recommendation going to council should include language about Scenario A.

Paula Shuler, Boulder, said she agrees with only having Johnson and Schooley open to the public. The rest of the northern properties are leased and actively used for agriculture. The lessees are working to produce a product. It would be hypocritical for any of these properties to be open to the public and not appropriate to allow people through these active fields.

Jackie Ramaley, Colorado Native Plant Society, said she supports Scenario A. The western foothills area is generally un-fragmented and home to many native species as well as countless wetland and riparian areas. We have the ability to protect this undisturbed habitat. The most recent draft speaks to mitigation measures with the West Beech Trail, but only provides approximate cost; this needs to be more definitive.

Linda Parks, Boulder, said kudos to those supporting the non-existence of a new trail. She said she is assuming that Open Space wants to preserve ranch operations; it would be a bad idea to allow general horse access to BVR. Who will be responsible for preventing conflict of use. Longhorn Road should not be used for additional vehicle access. Open space may be considering converting some of BVR into organic farm land which is not a good idea; it will limit hay production. Keep this area open to cattle only

and for current horse boarding. It would be best to let the rancher determine the best access for this facility.

Adam Sher, BMA, said it is difficult trying to balance interests. BMA is generally supportive of the draft plan. Do not support the closure of the northern tier properties. This needs further study and should not be included in the plan. This new trail is a means of relieving ourselves of stress from work and life. It is a way for children to experience open space and it more than just fun.

Helen Braider, Boulder, said she is saddened by the choice of a connector on the west side and concerned about the effects on wildlife. She is also concerned about the access to BVR. A horse trailer parking lot would be a huge mistake; cannot accommodate that increased use. Please protect the integrity of the ranch. Arena open to public use would not be good.

Steve Watts, BMA, said a compromised plan comes from the will of the public and it is encouraging that staff received so much input; the draft plan is good. BMA will continue to be a partner in helping to provide better recreation activities and experiences within OSMP.

Suzanne Webel, Boulder County Horse Association (BCHA), said we are so close to having plan for the North TSA that we can all live with. Support staff working with lessees about access changes at BVR. Do not support the last minute closure of northern properties; closures need to have specific reasons. She asked the Board to adopt the original Scenario B.

Terry Stuart, Boulder, said he supports the farmers who want to keep their properties closed and was concerned about a trail on north side of the highway. That area is precious and would quickly become overused.

BethAnne Bane, Longmont, said there are already trails on the east side that go the same direction as the proposed western trail. The area west of Hwy 36 has critical wildlife habitat; a trail would alter Open Space resource. The plan says we need entire areas protected from recreation; closing a trail just during nesting does not prevent irreversible damage.

Richard Harris, Boulder, said he is concerned about the proposed trail on the west side of Hwy 36. This will encourage users from other connector trails and significantly increase use. The best place to put traffic is on the side where it is easy to maintain. Damage on the west side will be incalculable.

Jessie Goldfarb, Boulder, noted that the City Open Space website states that the department protects the environment and land that characterizes Boulder. It further states that OSMP fosters appreciation and use that sustain the natural values of the land for current and future generations. She asked the Board to reject this draft plan.

Jeffrey Dreyfuss, Boulder, asked to keep the northern properties closed to the public. There is no way to get from Hester to Campbell without crossing the stream. Fields have been historically used for grazing cattle; leave these as-is.

Lori Cameron, Boulder, said the Board should not vote in support of something that has ecological danger. Listen to environmental experts; once you build a trail it is too late to fix any damage. She asked for biking to be put somewhere else that does not compromise the mission.

Nickie Kelly, Boulder, said a trail on the east side would disperse traffic and parking over a wider area. There needs to be focus on minimizing environmental impacts; we are not entitled as a species to plunder this resource. She asked the Board to enforce bikers dismounting.

Karen Hollweg, Boulder, said the goal of the North TSA Plan is to provide a sustainable system for visitor access. The plan references the North Sky Trail using the mud closure program to improve trail conditions and sustainability; there is no visible intention to construct a new trail that is sustainable. The Visitor Master Plan (VMP) says highly erodible soils are not suitable for sustainable trail construction and use. She would appreciate the promise to provide Scenario A to council in a minority report; to match standards of previous TSA plans, the presentation must include ways that both Scenario A and B meet goals and sideboards. Use education about invasive grasses; the language should be enhanced in plan.

Tim Dufficy, Marshville Ditch Company, said that lessees make Boulder look beautiful. The best way to control weeds is to irrigate, cut and bail hay. Do not open arena up to public; this is a safety issue. The best way to warm up your horse is to begin your ride.

Eileen Monyok, Friends Interested in Dog on Open Space (FIDOS), thanked the Board and staff for their work. There has been lots of compromise from user groups, as well as FIDOS. She asked that outside of the Papini Trail corridor, it should become on-leash to be consistent with the VMP.

Bobby Lover, Boulder, said he is the lessee at BVR. Opening up the arena to the public would be a liability and hard to operate. He would like to keep the relationship with OSMP and the City of Boulder.

### **Return to the Board**

Molly said she is concerned about the lessee at BVR being able to operate his business effectively if this area were to be opened up to the general public. She noted that a compromise could be reached if parking could be pursued at Lefthand Trail where there is parking already. Frances agreed that a public arena does not seem like suitable use. Shelley said honoring equestrian use and its heritage needs to be included; however, offering an alternate option is a good idea. She noted that the current lease agreement does say it is open to the public currently. Tom said he would vote to preserve the status quo while looking for an alternative.

Frances asked if it is an option for someone to ask the lessees of the northern properties to grant them access permission. Steve said the leases allow for agricultural uses, but not for general access. Tom said he is in favor of maintaining current status.

Frances said the West Beech property is one of the last unfragmented areas. She said staff should do monitoring first and then have a plan to mediate any issues; do this first. Kevin said he disagrees that this area is totally unique. He said he agrees that monitoring should happen and that this area could be a test case of how monitoring should happen. It does not make sense to close trails unless there is a negative impact. Tom said the Board could include a statement encouraging staff to make monitoring this area a priority as staff sets out the program.

### **Motion**

**Shelley Dunbar moved the Open Space Board of Trustees recommend that staff continue to follow the terms of the lease regarding public access to the Boulder Valley Ranch (BVR) equestrian arena and will concurrently develop options for nearby horse trailer parking and/or seek to provide an equivalent and suitable corral option that will be determined in cooperation with stakeholders that will be vetted and approved in a future public process. The Board recommends that staff proactively address any conflict issues resulting from public access in future lease negotiations. Tom Isaacson seconded. This motion passed unanimously.**

**Frances Hartogh moved the Open Space Board of Trustees to ask staff to endeavor to develop and bring back to the Board an ecological monitoring program for the North Sky Trail and the Joder**

Property in light of the important ecological qualities of these properties. Tom Isaacson seconded. This motion passed unanimously.

Tom Isaacson moved the Open Space Board of Trustees affirm the management area designations as shown on page 16 of the North Trail Study Area Draft Plan. Kevin Bracy Knight seconded. This motion passed three to two; Frances Hartogh and Molly Davis dissented.

Tom Isaacson moved the Open Space Board of Trustees to support the current access status of the Northern Tier Properties as either open or closed be continued except that the Deluca, Hester, and Campbell Properties be closed May 1 – July 31 for protection of ground-nesting Bobolink. Shelley Dunbar seconded. This motion passed three to two; Frances Hartogh and Molly Davis dissented.

Shelley Dunbar moved the Open Space Board of Trustees to amend the language on page 102 of the North Trail Study Area (TSA) Draft Plan to add the word “important” in front of “note” and eliminate “designated” in the first sentence. Kevin Bracy Knight seconded. This motion passed unanimously.

Frances Hartogh moved the Open Space Board of Trustees to have the following statement be added to the North Trail Study Area (TSA) Draft Plan on page 7: In fairness to the process, it should be acknowledged that three OSBT members voted for the scenario while two voted against. The main point of contention was whether a north-south connector trail should be constructed through the North Foothills HCA. Molly Davis seconded. This motion passed unanimously.

Frances Hartogh moved the Open Space Board of Trustees modify the language on page 36 under primary goal to read: Increase connectivity among North TSA properties while minimizing natural resource impacts to every extent possible. Molly Davis seconded. This motion passed four to one; Kevin Bracy Knight dissented.

Shelley Dunbar moved the Open Space Board of Trustees designate areas surrounding the Wrangler Trail (the trail is designated as Voice and Sight on-corridor) be designated as dogs on-leash as similar management to Wonderland Lake. Tom Isaacson seconded. This motion passed unanimously.

Shelley Dunbar moved the Open Space Board of Trustees to approve the North Trail Study Area Plan as amended and recommend that the Boulder City Council approve the North Trail Study Area Plan as amended. Kevin Bracy Knight seconded. This motion passed three to two; Frances Hartogh and Molly Davis dissented.

Tom Isaacson moved the Open Space Board of Trustees to make the following statement: If City Council does not support the North Sky Trail, the OSBT recommends that City Council direct staff to revise a plan based on Scenario A as modified by OSBT votes at the February and March Board meetings. Shelley Dunbar seconded. This motion passed three to two; Frances Hartogh and Kevin Bracy Knight dissented.

ADJOURNMENT – The meeting adjourned at 11:31 p.m.

These draft minutes were prepared by Leah Case.