

## LARIMER COUNTY OPEN LANDS ADVISORY BOARD

*The mission of Larimer County Department of Natural Resources is to establish, protect and manage significant regional parks and open lands providing quality outdoor recreational opportunities and stewardship of natural resource values. We are committed to fostering a sense of community and appreciation for the natural and agricultural heritage of Larimer County for present and future generations.*

### MINUTES

**Date:** April 23, 2020

**Time:** 5:00 – 8:00 p.m.

**Location:** Zoom Webinar

**Contact:** Please contact Sidney at [smichl@larimer.org](mailto:smichl@larimer.org) or 970-619-4462 if you are unable to attend

Members		Staff		Guests
Bob Hewson	x	Daylan Figgs	x	2 members of the public
David Marvin	x	Meegan Flenniken	x	
Jason Brothers	x	Ken Brink	x	
K-Lynn Cameron	x	Charlie Johnson	x	
Ken Zornes	x	Justin Core	x	
Linda Stanley	x	Chris Fleming	x	
Mark DeGregorio	x	Steve Gibson	x	
Nancy Wallace	x	*Thomas Donnelly	x	
Peter Kelly	x	Dave Koons	x	
Rick Brent	x	Mike Murphree	x	
Sherri Valentine	x	Paulina Bennett	x	
Tom Shoemaker	x	Sidney Michl (minutes)	x	

x = present

\*commissioner

1. CALL TO ORDER/INTRODUCTIONS – 5:13 p.m.
  - a. Paulina Bennett introduced herself as a County employee in IT and provided instructions for using Zoom.
2. PUBLIC COMMENT
  - a. A member of the public commented their support for Class I e-bikes on natural surface trails on LCDNR properties.
3. AGENDA REVIEW

#### 4. REVIEW AND APPROVAL OF LAST MEETING MINUTES

- a. Linda asked to include additional comments provided at the Regional Open Space Boards Meeting in the minutes. Tom moved to adopt the minutes with Linda's request, Linda seconded, motion passed unanimously.

#### 5. INFORMATION & ANNOUNCEMENTS

- a. Natural Resources events for this month: [larimer.org/naturalresources](http://larimer.org/naturalresources).
- b. To sign up for Open Lands Advisory Board updates, go to [apps.larimer.org/subscriptions.cfm](http://apps.larimer.org/subscriptions.cfm), enter your email, click "Subscribe," and check the "Open Lands Advisory Board" box.
- c. Poudre Trail grant and GOCO grant updates – Meegan
  - i. Meegan said the properties submitted in the concept paper for GOCO's Special Opportunity Open Space grant program will be discussed during Executive Session. The application was due April 9<sup>th</sup> and Larimer County is partnering with the City of Fort Collins. If awarded, GOCO would be a 25% partner in the project.
  - ii. DNR received \$400k for the Northern Front Range MPO Multimodal Options Fund, which will offset a portion of the county's Poudre River Trail construction cost when combined with the GOCO grant. Nancy asked about the source for remaining costs, Meegan said costs will be covered by Help Preserve Open Space sales tax dollars budgeted for capital improvements and long-term management.

#### 6. UPDATES

- a. Red-tail Estates RLUP Trailhead and Trail discussion – Charlie
  - i. Charlie shared a map of the Arrowhead Properties, LLC trail and trailhead easement, which was granted to the county in 2001 and provides a connection west to Red-tail Ridge Open Space. In 2017, Mr. Hilde granted a 1,300 ft. segment of trail easement on an adjacent parcel (Alverson) to Larimer County which connects to the Boulder County line. Mr. Hilde has since brought forward a rural land use development plan (Redtail Estate RLUP), which offers an alternative trailhead and trail easement to the County that still provides access west to Red-tail Ridge Open Space and also south to the existing Alverson trail easement. Charlie explained the alternative trailhead and trail alignments are superior in location and connectivity as compared to the 2001 easement.
  - ii. Linda asked how the locations compare ecologically. Charlie said much of the RLUP proposed property (and location of the TH and trail easements) was disturbed by mining, but lands owned by Arrowhead Properties farther west have greater ecological value, wildlife habitat, etc. Nancy asked if there are costs associated with the proposal. Charlie said no and that all legal descriptions were already completed by Larimer County Engineering. Linda asked if there's an existing management plan on Red-tail Ridge Open Space. Meegan gave an overview of our stewardship plan and the CE held by Colorado Open Lands. Daylan noted the RLUP trail easements align with our master plans and regional trail connectivity goals, and development of the trailhead and trail will occur at



a later date given the potential for connectivity to Boulder County. Dave asked if there is any raptor nesting adjacent to or near the alternative trailhead, Charlie said there are no raptor nest sites in the area we're aware of at this time.

b. Habitat Restoration Policy – Meegan

- i. Meegan explained this policy is meant to define the “why” and “when” of habitat restoration in accordance with the Help Preserve Open Space sales tax funds. Most of our properties are in excellent condition with relatively small-scale restoration needs. Some examples of the breadth of restoration activities on open spaces:
  1. Rip/re-seed two-track roads at Devil’s Backbone Open Space. Nearly every project on our restoration team’s list is of this scale.
  2. Restoration in Big Thompson Canyon following 2013 floods (instream work, riparian plantings, hazard tree removal, and upland seeding).
  3. River Bluffs Open Space restoration project 2019-2020 represents a large-scale, outlier project. Meegan noted DNR prioritizes leveraging funds to complete a project of this scale. In this specific example, we leverage 90% of the project funds via 3 grants.
- ii. Meegan noted that the ballot language allocates a portion of the sales tax funds as available for “restoring and enhancing native plant and animal communities and other habitat related restoration.” The purpose of the restoration policy is also to define what constitutes habitat restoration and is eligible for use of these funds. Specifically, the policy outlines that habitat restoration projects must be fiscally responsible, evaluated relative to desired outcomes (with a focus on improving ecological function), and designed to be self-sustaining once established.
- iii. Linda asked about the Habitat Restoration Policy in conjunction with the Department Restoration and Resource Standards and asked for clarification on “construction activities.” Meegan said the policy specifically notes that restoration elements of capital construction projects will be funded out of the development fund associated with that project, not the restoration/acquisition fund. Meegan said the standards are separate from the policy and are the “how” restoration will be performed. The standards serve as an internal communication tool for DNR and are meant to be more technical. Daylan added that these are two separate updates, they are related but intended for different purposes.
- iv. Mark asked if the policy would apply to management activities if restoration is needed on an acquired property, Meegan affirmed.
- v. Jason suggested incorporating performance criteria to the policy, Meegan said criteria are generally mentioned as “restoration goals” in the policy, but are more detailed in the restoration and resource standards document. Tom suggested rewording policy 3 to include term criteria.
- vi. Bob asked if projects are ever voted on by OLAB, Meegan said all department projects, including restoration projects, that cost \$50k or greater are included in

the capital improvement plan, which all 3 advisory boards review. Daylan said he would like to provide OLAB with periodic updates on ongoing restoration projects. Meegan said this policy will be taken to LSAB for review, then a final version will be brought to OLAB in May or June for a recommendation to the BOCC to adopt.

- c. Dept. Restoration and Resource Standards – Meegan
  - i. Meegan explained the standards are meant to be the “who” and “how” of restoration and are intended to establish accountability and the appropriate level of communication for DNR’s existing guidelines. Tom asked for clarification on what the standards apply to. Meegan said the purpose is to outline restoration standards for any vegetation disturbance activity on open space/park properties including construction activities from department capital projects, utility easements, natural disaster recovery, etc. They are based on best restoration practices and intended to be used by DNR employees or contractors/outside entities performing work on DNR properties.
  - ii. Jason suggested adding channel restoration standards and the use of irrigation to establish native plant communities. He also suggested providing technical guidance on erosion control.
- d. Glade Reservoir 1041 process – Daylan
  - i. Daylan provided an update on OLAB’s role in Glade and explained that the process moved from an IGA into 1041 regulations. 1041 rules at both state and county levels do not include provisions for advisory boards to make a recommendation to the BOCC. Board members can still review the application and provide comment as members of the community. The Planning Commission will meet June 24<sup>th</sup> followed by public testimony on July 8<sup>th</sup> and 15<sup>th</sup>. Then the application will go to the commissioners on August 17<sup>th</sup> with additional public testimony August 24<sup>th</sup> and 31<sup>st</sup>.
  - ii. Linda asked for further clarification on the process. Daylan said our Land Use Code does not recognize advisory boards to provide recommendation to the commissioners; the recommendation for Glade will be made by the Planning Commission. Commissioner Donnelly explained the county and state statutes regarding 1041 and its time constraints. Nancy added it does not lend itself to input from the board. Dave said OLAB was established to shepherd the use of Open Space tax dollars and the maintenance and acquisition of properties; providing feedback on Glade is not within the scope of OLAB’s bylaws.
- e. COVID-19 department update – Daylan
  - i. Daylan referred to the Social Media Dashboard sent out in the meeting packet and gave an update on DNR’s response to COVID-19. County parks and open spaces remain open with access to public restrooms, visitation is high and often above capacity. Resource management (weed, restoration, forestry) and trail crews are working at full staff capacity and in shifts to have presence on DNR properties, education staff are hosting trailhead tables on leave no trace, and rangers have added signage to control parking and visitation. Offices are closed

to the public and staff are primarily working from home. Campgrounds are reopening this weekend with restrictions; the goal is to be operational by Memorial Day weekend. Our social media response shows people understand the messaging and compliance is high. Daylan said we are starting to plan how to reopen our offices and mentioned new opportunities for staffing models.

- ii. Steve and Chris gave a presentation of current operations. Steve explained the personal protective equipment (PPE) acquired for ranger and maintenance staff: N95 masks, face shields, boots, Tyvex suits, cloth masks, gloves, and disinfectant spray. Staff also created training videos for proper use of PPE, disinfecting vault toilets, and cleaning work vehicles.
  - iii. Chris explained changes in recreational behavior and the influx of crowds during the stay-at-home order. Properties have experienced high capacity, including remote areas like Eagles Nest and Red Mountain open spaces. Steve noted the challenges from implementing social distancing and increased vegetation damage from trail widening. Ranger Excellence School has been cancelled and activities and facilities with large gatherings remain closed.
  - iv. Board members gave positive feedback on DNR's response to COVID. Mark asked how the situation has affected recruiting and retaining seasonal employees and what steps will be taken to protect staff. Steve said staff are equipped with PPE and plexiglass will be installed where applicable, we are controlling or limiting the number of visitors allowed to enter buildings at one time, requiring 6 feet distance while waiting in line, requiring masks to be worn by visitors, and closing restrooms to the visiting public. HR has been supportive that high risk staff members are protected, and recruiting has remained mostly unaffected. Daylan added we are being careful about staff safety, DNR contracted a commercial cleaner to disinfect restrooms and all permits are now available to be purchased online to allow for distancing in the office.
  - v. Linda asked about sales tax revenue, Daylan said it was above expected performance in February, but revenue reduction is expected to be substantial during COVID. Our cash reserves are in good shape and will allow DNR to recover. Commissioner Donnelly said reductions have varied across the county.
- f. Electric motorized bike update – Daylan
- i. Daylan followed up on OLAB's discussion from November relative to e-bikes on Bureau of Reclamation (USBR) properties. In response to the Secretary of Interior's order, DNR is proposing to allow e-bikes on department managed trails wholly contained within USBR lands that do not tie into trail systems where e-bikes are prohibited. A trail at Carter Lake and a series of trail segments at Horsetooth Reservoir were identified to fit these criteria and were reviewed favorably by the county commissioners and PAB. The next step is to take the proposal to USBR, and if accepted, update LCDNR regulations. Public comments can be submitted online via a [Federal Register](#).
  - ii. Daylan explained the conversation with the commissioners led to a request for DNR to conduct a trial study on e-bikes not just limited to USBR properties. The

idea would be to develop a proposal for a study with OLAB to present it back to the commissioners to coincide with the scheduled regulation review in 2021. Horsetooth Mountain Open Space (HTMOS) was presented as an opportunity for the study in partnership with Lory State Park and the City of Fort Collins.

- iii. Tom asked for clarification on the information Daylan received from the BOCC, Daylan said the USBR piece lends itself to a study DNR might take advantage of by including an open space property. Tom commented it's critical to collect valid vs. anecdotal data and that it might lead to motorized technologies beyond e-bikes. Daylan agreed and emphasized the need to focus on zoning and user experience.
- iv. Pete said conducting a study or pilot program would determine if conflict exists and noted the regional aspect of the topic.
- v. Dave cautioned implementing the study during COVID and suggested evaluating user experience relative to the baseline of the trail system.
- vi. K-Lynn echoed safety concerns with COVID and the potential of e-bikes to increase trail usage.
- vii. Sherri commented it's a fundamental question of open spaces providing recreational vs. natural services and voiced concern over the amount of staff time spent on this topic given regulations were just adopted and our recent survey suggested a majority of the public not in favor.
- viii. Bob said some areas might be better suited to support e-bikes than others and that it might allow us to think in broader terms for the future.
- ix. Linda echoed comments from Sherri and Tom and suggested referring to the ballot language.
- x. Mark said there needs to be a trail management plan that designates different uses on different trails. Daylan said our system will need to change to accommodate increased visitation. Charlie added most of our properties are subject to conservations easements that specify non-motorized uses only.
- xi. Rick suggested inviting an employee from Jefferson County to present their findings on e-bikes.

## 7. DISCUSSION ITEMS

## 8. ACTION ITEMS

- a. Red-tail Estates RLUP Trailhead and Trail easement Final Review – Charlie
  - i. Bob moved to vacate the 2001 easement and trailhead and approve the newly proposed trail and trailhead easement locations, K-Lynn seconded, motion passed unanimously.

## 9. OTHER BUSINESS

## 10. NEXT MEETING SCHEDULED: May 28, 2020 via Zoom Webinar

11. EXECUTIVE SESSION: Pursuant to C.R.S. (24-6-402(4)(a)) for discussion pertaining to the purchase, acquisition, lease, transfer or sale of any real, personal or other property interest. K-Lynn moved to enter Executive Session, Linda seconded, motion passed unanimously at 7:52 p.m.

12. ADJOURN – 8:34 p.m.