



Date: September 23, 2021
Time: 5:00 PM – 8:00 PM
Location: Zoom Webinar

OPEN LANDS ADVISORY BOARD MINUTES

MEMBERS		STAFF		GUESTS
Bob Hewson	x	Daylan Figgs	x	
David Marvin		Meegan Flenniken	x	
Gale Bernhardt	x	Chris Fleming	x	
K-Lynn Cameron	x	Zac Wiebe	x	
Linda Stanley	x	Justin Core	x	
Mark DeGregorio	x	Alex Swartz	x	
Nancy Wallace	x	Lesli Ellis	x	
Peter Kelly	x	*Jody Shadduck-McNally	x	
Rick Brent	x	Sidney Michl (minutes)	x	
Sherri Valentine	x			
Steve VanderMeer	x			
Tom Shoemaker	x			

x = present

*commissioner

Call to Order – 5:02 p.m.

Public Comment – none

Agenda Review

K-Lynn chaired the meeting in Dave's absence.

Review and Approval of Last Minutes

Linda moved to approve the minutes from last meeting, Nancy seconded, motion passed unanimously.

Information and Announcements

Natural Resources events for this month: <https://larimer.org/naturalresources>.

To sign up for Open Lands Advisory Board updates, go to <https://apps.larimer.org/subscriptions.cfm>, enter your email, click "Subscribe," and check the "Open Lands Advisory Board" box

Update and Reports

Larimer County 1041 Regulations Update Review – Lesli Ellis, Community Development Director

- Daylan explained the 1041 regulations are due to be updated at the commissioners' request and introduced Lesli to review the process.
- Lesli updated the BOCC and Planning Commission provided input in the spring/summer. More info including a comparative analysis, example 1041 regulations from other counties, and discussion drafts 1 and 2 can be found online: <https://www.larimer.org/planning/luc2020/phase-ii-larimer-county-land-use-code>. Upcoming dates include a virtual open house scheduled for Sept. 1st, a Planning Commission Hearing Oct. 20th, and a BOCC Hearing Nov. 15th.
- In 1974, the Colorado General Assembly enacted measures commonly referred to as "1041 Powers" (because of the bill number, HB 74-1041). 1041 powers:
 - Allow local governments to identify, designate, and regulate areas and activities of state interest through a local planning process
 - Maintain some level of control even where a project has statewide impacts
 - Identify "areas" and "activities" of state interest
- Larimer County regulates power plants, transmission lines, substations, new pipelines for natural gas or petroleum transmission, storage facilities of petroleum derivatives, etc. as well as natural hazard areas, natural resource areas, and historical or archaeological resources identified on state maps.
- Initial drafts and changes to the Land Use Code include:
 - Expanded purpose statements, activities, review criteria and submission requirements by specific activity or area
 - Complete process for designation/permit review
 - New submission requirements
 - Financial guarantees
- It was noted the main forum to share feedback as a group is through Daylan and Meegan who will work with the suggested staff team on suggestions/edits.
- Mark asked if 1041 powers would be queued for a gas pipeline proposed on a DNR conserved area, Lesli mentioned the potential for Energy by Design. Daylan reiterated DNR's preferred baseline of no surface occupancy status.
- Sherri asked if wildfire risk areas are included in the regulations, Lesli said those areas are referenced in other sections of the Land Use Code.

Horsetooth Mountain Open Space Management Plan Update – Zac Wiebe

- Meegan reminded the board that this plan is representative of a new management style driven by outcomes. Zac's presentation will highlight main themes we've heard from the public in the last few months and outline potential management activities we're proposing to address those comments.
- Zac provided an update on the management plan timeline, noting the second public/stakeholder review and comment period will occur Oct. 1st-29th. The first public comment period included an [online survey](#) (451 responses, 122 map comments), trailhead tables, stakeholder focus group meetings, and targeted outreach (direct emails to neighbors and community groups like the BIPOC Alliance, Backpackers, etc.).
- Public input themes:
 - Trail system improvements: increase quality of recreation experience, improve trail sustainability, enhance connectivity
 - Identify potential to improve ecological function and reduce fragmentation
 - Expand opportunities for additional education, inclusion, and outreach
 - Address risk of wildfire
 - Adaptive management
- Potential management activities:
 - The department's decision-making approach is guided by the three-legged stool:
 - Ecological, cultural, and agricultural resource protection
 - Quality recreation experience/enhancement
 - Financial sustainability and operational feasibility

- Improved visitor experience:
 - Trail system adjustments including intermediate access to upper trails, more balanced difficulty levels, improved connectivity and wayfinding, one-way directional option(s), and improved sustainability
 - Example: new trail from Soderberg TH to Stout Trail and Towers Rd. junction to meet intermediate access, difficulty balance, and connectivity objectives
 - Redesign restroom and kiosk areas
 - Designate and monitor rock climbing area(s)
- Enhanced ecological condition:
 - Expand/retain intact habitat patches
 - Restore Redstone Creek riparian corridor and appropriate grazing
 - Seasonal habitat protection closures
 - Continue responsible forestry work
- Site management improvements:
 - Improve main trailhead to reduce congestion by improving traffic flow and adding spaces if feasible
 - Limit nighttime use to dawn to dusk hours
 - Adaptive management
- The board discussed how increased use will impact maintenance and operating costs. It was noted the three-legged stool will help balance our proposals/approach. This framework can also be applied to future projects like Chimney Hollow. Zac provided further clarification of adaptive management practices.

DNR Staffing Update

- With Chris Fleming's promotion to Visitor Services Division Manager, DNR merged the properties previously managed by Chris to Steve Gibson's purview for ranger and maintenance activities. A new resource infrastructure position was also created under the Land Acquisition, Planning and Resource Division overseen by Meegan to focus on maintenance related to backcountry, vegetation management and restoration infrastructure under Casey Cisneros. An existing staff member, Travis Rollins, filled that role.

Discussion Items

Action Items

Recommendation to the BOCC on Park and Open Space Regulations Updates

- Chris provided an overview of the regulations process and the BOCC's authority to enforce county regulations. The department would like to no longer allow second units in campgrounds due to safety and capacity issues.
- Tom asked if removing second units would apply to a guest with a small trailer and a tent, Chris said tents are not considered camping units. Nancy asked how units are defined, Chris said the definition is established in the regulation as "any wheeled unit used to sleep in such as a trailer, RV, pop-up camper, etc." The regulation update will include further clarification on second units. Nancy asked how campers will be notified of the change, Chris said second units have not been allowed for the last 2 years and a notification is posted on the reservation system.
- Linda moved to recommend to the BOCC that we no longer allow second units within campsites in Larimer County campground, Sherri seconded. Pete asked for clarification on roof-top tents, Chris said they are not considered second units. Motion passed unanimously.

Other Business

- Commissioner Shadduck-McNally thanked everyone for their service and updated that the BOCC approved the fee increases last week. They also attended a budget conference to discuss ARPA funds. The commissioner expressed additional efforts to support DNR.

Next Meeting Scheduled

October 28, 2021 via Zoom Webinar

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. Nancy moved to enter Executive Session, Rick seconded, motion passed unanimously at 6:41 p.m.

Adjournment – 7:11 p.m.

Per the Americans with Disabilities Act (ADA), Larimer County will provide a reasonable accommodation to qualified individuals with a disability who need assistance. Services can be arranged with at least seven (7) business days' notice. Please email us at michlsl@co.larimer.co.us, or call (970) 498-7719 or Relay Colorado 711. "Walk-in" requests for auxiliary aids and services will be honored to the extent possible but may be unavailable if advance notice is not provided.