



Date: October 28, 2021
Time: 5:00 PM – 8:00 PM
Location: Zoom Webinar

OPEN LANDS ADVISORY BOARD MINUTES

MEMBERS		STAFF		GUESTS
Bob Hewson	x	Meegan Flenniken	x	3 members of the public
David Marvin	x	Zac Wiebe	x	
Gale Bernhardt	x	Justin Core	x	
K-Lynn Cameron	x	Alex Swartz	x	
Linda Stanley	x	Steve Gibson	x	
Mark DeGregorio	x	Julie Enderby	x	
Nancy Wallace	x	*Jody Shadduck-McNally	x	
Peter Kelly	x	Sidney Michl (minutes)	x	
Rick Brent	x			
Sherri Valentine				
Steve VanderMeer	x			
Tom Shoemaker	x			

x = present

*commissioner

Call to Order – 5:03 p.m.

Public Comment

A member of the public commented on daily use fees at the Devil's Backbone Open Space south trailhead.

Agenda Review

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

Board of County Commissioner update

- Dave announced the BOCC update will be a new standing agenda item.
- Commissioner Shadduck-McNally provided an update on attending Police Weekend in Washington, DC with DNR staff to honor Ranger Brendan Unitt and commended the department for their leadership and mental health support following the tragedy.
- The BOCC presented a Starburst Award from the Colorado Lottery to DNR on the Laramie Foothills Expansion. The Commissioner noted the rarity to be awarded two years in a row.
- The proposed budget for 2022 is wrapping up with opportunity for public comment:
<https://www.larimer.org/spotlights/2021/10/18/larimer-county-releases-proposed-2022-budget>

Education and Volunteer Program Overview and 2021 Update – Julie Enderby

- Julie introduced herself to the board as DNR’s Education and Volunteer Specialist and provided an overview of the education and volunteer engagement programs.
- The education program promotes stewardship and responsible outdoor behaviors and provides public education classes, field trips for school and community groups, outreach education, and non-personal media. 2021 updates include:
 - SEEK (Safety, Education, and Ecological Knowledge) stations and stewardship messaging
 - 66 stations and 7,147 visitors reached in 2020
 - 95 stations and 14,810 visitors reached in 2021
 - Niche geology field trip/education opportunities at Devil’s Backbone and Red Mountain open spaces
 - Updated Junior Ranger Guides to include new stewardship messaging and LNT principles
 - Naturalist Guides for Discover Packs
- The volunteer program assists staff to meet department needs by way of trail and facility maintenance projects, public and school education programs, volunteer ranger assistants, and campground hosts. various ways. 2021 updates include:
 - 3,143 feet of old barbed wire fence removed at Little Thompson Farm
 - 6.25 miles of existing trail restored/maintained
 - 37 campsites restored/maintained
 - 50 trees mulched and/or planted
 - 52 bags of dog poop and 108 bags of trash collected
 - 30 hours of painting over graffiti at Rotary Park
 - And more!

Discussion Items

Conservation Easements Overview and Annual Monitoring Update – Justin/Zac

- Dave explained this update was initiated by a discussion several meetings ago and is intended to provide context for new board members.
- Justin provided an overview of conservation easements (CEs), including tools used for land conservation by both DNR (fee-simple land acquisitions, CEs, trail easements) and Community Planning (development review, conservation developments, rural land use process).
 - Conservation values include natural resources, wildlife habitat, recreation, scenic vistas, buffers, community separators, and working farms and ranches. Terms of the easement are defined in restricted uses (ex: subdivision, commercial development, dumping) and reserved rights (ex: agriculture, hunting/fishing, public access).
 - Easements are acquired via donation, partial donations (bargain sales), or fully funded acquisitions. For tax purposes, CEs must be granted in perpetuity through a qualified organization.
 - Fair market value is determined by a qualified appraiser using an analysis of “before and after” property values. CEs are typically valued at 45-50% of the full fee value.

- Zac explained how CEs are monitored to ensure adherence to the terms of the CE and to protect the conservation values in perpetuity. Per state certification, CEs must be visually inspected on an annual basis. Traditionally, staff would perform a full site visit and replicate photo points created during baseline documentation, but emerging technology (drones, aerial imagery) has allowed for remote monitoring in recent years. In 2021, staff monitored 48 CEs with 0 violations.
 - Overview of the land conservation and recreation portfolio, ranging from high cost/high recreational use (\$200-\$300/ac) to low cost/CEs (\$2/ac CEs and \$50/ac fee).

Acquisition Strategy Overview – Meegan

- Meegan explained how CEs are used as a tool in our acquisition strategy.
- The department anticipates an additional 24,000 acres of land need to be acquired by 2043 to keep pace with population growth. To maintain our current land portfolio of 60% fee-title and 40% CE moving forward, 8,000-10,000 ac would be acquired in fee and the remaining ~16,000 ac in CE.
- The Open Lands Master Plan was developed with significant public input (including the statistically valid Our Lands Our Future survey and study) and provides guidance for acquiring land to meet the department's land conservation, stewardship, and recreation goals.
- Overview of acquisition and monitoring costs of fee-simple vs. CE acreage. It was noted the current portfolio contains a handful of open spaces that were initially acquired as small purchases and buffered by additional CEs or fee-simple purchases over time.
- Summary of financial model, based on implementing LCDNR Master Plans and driven by long-term management obligations. The model accounts for existing fees and a regular schedule of increasing fees to keep pace with inflation. As mentioned previously, per capita goals add ~24,000 ac, ~8,000 ac of which to be designated towards 3-5 future fee-title open spaces to be purchased at ~\$50M. The department's goal is to front-load acquisition dollars (~\$31M between 2021-2026) and delay the development/opening of new parcels to match the long-term management costs schedule.
- The acquisition strategy is outlined by a proactive approach to identify key parcels that:
 - Balance fee-title (where public access is desired) with CEs to be fiscally sustainable
 - Protect key values (habitat, scenic, recreation, buffers, community separators, etc.)
- Key acquisitions: 2018-Sept. 2021:
 - Fee-title (75% of projects – 13 parcels; 2,616 ac; \$4.4M)
 - Laramie Foothills: 2 additions to Red Mountain OS
 - Poudre River: 3 trail easement acquisitions (1 donation)
 - HT/DBB Foothills: addition to Devil's Backbone OS
 - Big T River: 6 parcel additions to Forks and Cedar Cove
 - Little T River: Red-tail Ridge TH and trail easement
 - Partnerships: Glade Reservoir, Wagner/Bosner; Dakota Ridge
 - Conservation easements (25% of projects – 4 Cs; 1,159 ac; \$850k)
 - Blue Mountain: Pittington CE (full donation)
 - Laramie Foothills: Stepotis CE (partial donation)
 - Partnerships: Hazelhurst CE (full) and Dixon Station CE (partial)
- Dave said the presentation is a great resource and requested it be distributed to board members.
- Linda commented on the thoughtfulness of the strategy and asked how the cost of a current property might compare to a property bought/appraised in 1995. Justin said land values have increased and prices continue to rise throughout the pandemic. Appraisals from prior years are available for reference.
- Gale also commented that the presentation was helpful and asked how many times a CE has converted to a fee-simple property. Meegan noted that the department has only had the opportunity and need to do this once so far, with a CE from 2001 we later acquired in fee in 2018 to provide an addition to Devil's Backbone OS. Gale asked how many of the 60% fee-title properties allow public access. It was noted the only fee-title properties not yet open to the public are Chimney Hollow (anticipated to open in 2026) and Red-tail Ridge.

- Mark commented on the variety of values protected by both CE and fee-simple acquisitions and the importance of communicating that to the public.
- Tom echoed congratulations on the presentation and requested a summary of all the department's acquisitions. Tom asked how the implementation of a CE affects the appreciation of a property. Meegan commented that question has also been raised by staff.
- K-Lynn commented on the growth rate in LC and the importance of maintaining relationships with CE landowners.
- Commissioner Shadduck-McNally asked how the department responds to opportunities that might not be within priority areas. Meegan explained the priority areas are fairly generalized and the department considers opportunities outside them that meet goals as well as by referring to partners.
- Mark asked about projects in the Laramie River Valley. Zac explained some priority areas are recognized for high conservation value, but efforts are led by partners like the Estes Valley Land Trust or other municipalities. In the case of the Laramie River Valley, several statewide land trusts, most notably the Colorado Cattlemen's Land Trust, have led acquisitions with LCDNR as a financial contributor.
- Dave commented on tax advantages for contributions on a CE and asked if there are any advantages for fee-simple purchases. Justin affirmed but said the benefits are not as significant.

Action Items

Other Business

- Gale commented on the survey design for the fee increase and suggested future improvements. Pete also commented on the validity of the fee survey data. It was noted the fee increase was a unanimous recommendation based on a multitude of information/public outreach given by the board and then approved by the BOCC.

Next Meeting Scheduled

November 17, 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. K-Lynn moved to enter Executive Session, Steve seconded, motion passed unanimously at 7:00 p.m.

Adjournment – 7:13 p.m.

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