

LOVELAND OPEN LANDS ADVISORY COMMISSION  
JANUARY 10, 2007  
PARKS & REC. DEPT. LARGE CONFERENCE ROOM  
REGULAR MEETING MINUTES

**Commissioners in Attendance:**

**Present:** Karl Cordova, Carol Johnson, Nancy Meredith, Steve McMillan, John Lewis, Sylvia Hickenlooper, Bill Zawacki, Gene Pielin (Council Liaison).

**Excused:** Rick Brent, Kathy Hartman.

**Staff Present:** Brian Hayes, Debbie Eley.

**The public meeting was called to order at 6:00 pm.**

**Approval of Minutes:** The minutes from the November 8, 2006 meeting were approved unanimously as written.

**Public Comment:** None.

**Guest Speaker:** Mike Phelan of Cedar Creek Associates attended to discuss updating the city's natural areas inventory (*In the Nature of Things*). Mike listed several issues that he has encountered while working on both sides – as a consultant to the city for conservation easements and purchases, and as a consultant to developers regarding buffers and other mitigation measures for proposed developments. Brian also distributed a list of issues pertaining to the update. Issues include:

- Large natural areas – at times, rankings don't apply to the entire area. Planning staff has been flexible about different rankings and protection measures for different areas. Perhaps higher value portions of some natural areas should be a priority in the updated plan.
- Natural areas in an urban environment – urban-adapted species use these areas, and some buffers and restrictions may be overly protective. Perhaps the updated plan should prioritize which areas should be protected for wildlife habitat vs. human use.
- Purpose of buffers – to protect open space or wildlife habitat? A small isolated wetland may function primarily as water quality control, erosion control, etc. and less as wildlife habitat.
- Property rights – utilizing open lands funds to acquire easements.
- Ranking system – simplify system based on habitat components/stratification (e.g., presence of water or wetland, mature vs. young trees, native vs. non-native habitat, habitat diversity). However, current ranking system (overall habitat value 1 through 10) is used by Planning to determine buffers, etc. and is referred to in the appendix of the 2003 Open Lands Plan.
- Title 18 vs. Natural Areas – How do the natural areas correspond with Title 18 “environmentally sensitive areas” as described: “(1) Slopes in excess of twenty percent; (2) floodplain; (3) soils classified as having a high water table; (4) soils classified as highly erodible, subject to erosion or highly acidic; (5) land incapable of meeting percolation requirements; (6) land formerly used for landfill operations or hazardous industrial use; (7) fault area; (8) stream corridors; (9) estuaries;

(10) mature stands of vegetation; (11) aquifer recharge and discharge area; (12) habitat for wildlife; or any other area possessing environmental characteristics similar to those listed here.” *In the Nature of Things* describes natural areas as: “undeveloped lands containing potential natural values such as wildlife habitat, plant diversity and wetlands.”

- Gravel mining – should areas currently being mined be considered natural areas? These areas can be reclaimed to provide great wildlife habitat.
- Sacrificed areas – some natural areas may be more valuable for other purposes (e.g., development at Centerra). Mitigation (by developers) could be considered in these cases.
- Priority areas – should the preservation priorities from the 2003 Open Lands Plan be incorporated into the report?

Commission members agreed that the current inventory report has credibility and has been used repeatedly by the city to protect existing natural areas, so the update needs to continue this credibility. Private property rights must be taken into consideration. Commission members also agreed that an interactive website (similar to the NDIS database set up by CDOW and CNHP) would be an excellent tool for the public to access and download the updated information/report, and could also be updated more easily than a paper document. Staff will meet with Mike Phelan again to continue to develop and refine the details and goals of the update and will keep the commission involved and informed.

#### **Discussion/Action:**

- 1. Comprehensive Plan Implementation – Boards & Commissions Retreat, Feb. 7, 5:30-9:00 pm.** Commission members who volunteered to represent open lands were Bill Zawacki and Nancy Meredith.
- 2. Retreat Priority # 2 “Develop a vision and a plan.”** Remaining issues in this topic will be discussed in future retreat priority topics. A subcommittee to develop an outline for Retreat Priority Topic #3 “Improve Communication” will consist of Bill, Carol, Nancy, and perhaps Kathy.
- 3. Recommendation of the Morey Management Plan Revised Draft.** Brian distributed a list of issues anticipated for this management plan. Current Planning and Transportation departments will be consulted regarding development of the access road and parking lot. Gene Pielin asked if rangers will be hired, and if not, the rules can’t be enforced, so people will fish anyway. It is anticipated that volunteer site hosts will help monitor the site, provide education of the public and visibility/presence, similar to the Poudre Wilderness Volunteer’s “Authority of the resource” system. Pam Unfred, environmental education coordinator, will attend Larimer County’s training for volunteers on January 20 and 27; commission members are also welcome to attend (information will be emailed to members). Steve McMillan asked about the CE violation, and Brian described the area around the restrooms that the Golf Division had landscaped with bluegrass sod. This area will need to be restored with native vegetation to provide screening and be in compliance with the CE. Steve also asked about the 300 sq. ft. building addition and suggested that it’s not necessary. A planner/landscape architect will be hired to plan the amenities and determine the need for this option. The temporary water supply augmentation plan has been approved, using water leased from the City. In the next two years, we will need to decide whether we want to continue to lease water or purchase water shares, for a permanent augmentation plan. A water court application for a permanent augmentation plan is pending. The property was adopted by this commission as part of the Big Thompson Watershed Forum’s Adopt-a-Waterway project. **Carol Johnson made a motion to recommend this draft management plan as revised; Nancy Meredith seconded the motion. Steve McMillan made an amendment to the motion that fishing be allowed; John Lewis seconded the amendment.** Discussion ensued. John Lewis asked

which areas have been revegetated and suggested that the Weed Management sections (p. 7, 15) be updated with current revegetation information. John also suggested that the Fort Collins (Arapaho Bend) Natural Area near I-25 and Harmony Road is a good example of an area previously mined for gravel and now open to the public for fishing and wildlife viewing. Social trails around the pond can be limited using vegetation such as willows. Fishing would need to be approved by Legacy Land Trust since they hold the conservation easement. The CE is unclear about allowing fishing, but does prohibit “hunting or killing of animals... and luring of animals by whatever means to unprotected areas...” If fishing is allowed, it must be catch-and-release. **Steve McMillan then withdrew his original amendment and re-stated his amendment to say that the Discussion Points (handout) and signage should not state “no fishing” or “fishing allowed.” John Lewis seconded the amendment, and it was approved with a vote of 6 in favor to 1 opposed.** Karl Cordova voted against the amendment with concern for other issues related to fishing that should be discussed, including boats, rafts, belly boats, swimming, etc. **The original motion passed unanimously.** Staff will meet with Current Planning staff to discuss the development of the access road and parking lot, and transportation issues. Staff will also request approval of the revised draft from Gary Havener, Director of Parks and Recreation, and Legacy Land Trust in order to proceed with designing the parking lot and other amenities.

**4. Recommendation to allocate 10% of Natural Areas Fund 32 into a sub-account for partnerships.** The 2003 Open Lands Plan policy states that “In certain cases, Loveland may partner with Larimer County and other entities, to a recommended maximum level of 10% of annual revenues, and in return expect these other entities to reciprocate on projects initiated by Loveland.” Pros: Partners sometimes request more than our 10% annual allocation. Cons: Setting aside balances available could put pressure on OLAC to fund requests. Also, other entities do not set aside funds in separate accounts for partnerships. **Steve McMillan made a motion that OLAC does not recommend this allocation; Carol Johnson seconded the motion and it passed unanimously.** Partnership requests will be considered on a case-by-case basis by staff and OLAC.

#### **Reports and Correspondence:**

**1. Annual Report (2006).** Final draft distributed. Suggestions/corrections were to: 1) provide total dollars under the Partnership column of the acquisition table; 2) distribute the annual report with a Saturday Reporter-Herald Dateline section (contact Andy Hiller); and 3) post the annual report on the website when completed.

**2. Mailing List.** The current mailing list for open lands was distributed for members to review and make additions/changes. Carol Johnson reminded staff that we would like to add all property owners within our priority areas bubbles to the mailing list (from *Retreat Priority Topic # 2* discussion).

**Council Liaison Report:** None.

#### **Commission Members Discussion Topics, Reports and Future Agenda Items:**

**1. Election of Chair and Vice Chair** will take place at the February 14<sup>th</sup> OLAC meeting.

**2. Consensus on recommending Rules and Regulations.** The subcommittee will discuss.

**3. Study Session on Preservation Priorities** to discuss specific properties and values and where to spend open lands funds. Staff has been developing a spreadsheet with 65 properties along the Big Thompson River, including owners, floodplain/floodway designation, and estimated values. It was

suggested that Gary Havener attend the study session. Staff will check conference room availability and email members to vote for a study session on January 23<sup>rd</sup> or 24<sup>th</sup>.

**4. Mineral Addition Conservation Easements.** This item was continued from the November meeting, since there was no December meeting. Brian contacted the owner, but he would like to delay the request for 30-60 days. Steve McMillan visited the property and does not think there is any room on Outlot D for a commercial building, without filling the pond and wetlands and mitigating for this. **Steve McMillan made a motion to table this item until a field trip is possible; John Lewis seconded the motion and it passed unanimously.**

**5. 57<sup>th</sup> and Taft Update.** Brian met with Crossroads Church regarding more preservation on the parcel with wetlands near the railroad tracks, on the southeast corner of 57<sup>th</sup> and Taft. The church was interested in limiting development to less than 2-4 units per acre, in exchange for a conservation easement. The property on the northeast corner of 57<sup>th</sup> and Taft is owned by investors. At one time the Larimer Humane Society was interested in building on that site and preserving open lands. The Larimer Humane Society is currently pursuing a site near Timnath on land where Fort Collins holds a conservation easement.

The meeting adjourned at 8:50 pm.