

**MINUTES
CITY OF FORT COLLINS
LAND CONSERVATION & STEWARDSHIP BOARD**

**Regular Meeting
April 11, 2018
1745 Hoffman Mill Road
5:30 p.m.**

Council Liaison:
Gerry Horak 217-2993

For Reference:	
Joseph Piesman, Chair	970-691-6697
Raymond Watts, Vice Chair	970-690-4250
Daylan Figgs, Staff Liaison	970-416-2814

Board Members Present: David Tweedale, Vicky McLane, Joseph Piesman, Andrea Elson, Kelly Ohlson, Marcia Patton-Mallory, Raymond Watts, Mike Weber

Excused: Edward Reifsnyder

NAD Staff: Mark Sears, Barbara Brock, John Stokes, Daylan Figgs, Dan Gulley

Public Attendees: Patrick Stoffregen, Pedcore Investments
Cole Kramer, Private Citizen
Alan Braslau, member, The Energy Board
Kurt Friesen, Director of Park Planning & Development
Matt Day, Park Planning & Development
Jeff Mihelich, Assistant City Manager

Call meeting to order: 5:30 p.m.

Introductions/Public Comments:

Alan Braslau from the Energy Board announced a joint Board meeting on Thursday, April 19th, with The Water Board to discuss the potential transmission line for the new Wind Plant. He asked for any concerns or questions be brought to that meeting. Daylan announced he would be presenting the issue at that meeting.

Public Comments: None

Approval of Minutes:

Marcia Patton-Mallory made a motion to approve the minutes as amended.

David Tweedale seconded the motion.

The motion was unanimously approved.

Communication & Board Matters:

May 7, 2018 there will be a Super Board meeting, at the Lincoln Center. Joe Piesman and David Tweedale will be there.

Joe announced it was National Volunteer month and that Michelle has a list of volunteer opportunities if anyone was interested.

Christine Macrina dropped off entrance passes for Gateway Natural Area and the Museum of Discovery for board members.

Vicky would like to learn more about the bison and requested a tour of Soapstone from Jennifer Barfield. This would be a field trip for all board members. Daylan said he would contact Jennifer and send out potential dates.

Daylan announced he planned to attend the upcoming joint meeting between the Energy and Water Boards and the next Natural Resources Advisory Board meeting to present on the Energy by Design process as it relates to the transmission line request on Meadow Springs Ranch.

Action Items

Electric Bikes

Marcia provided an update on the Bicycle Advisory Board's (BAC) work on the e-bike issue and a copy of the most recent memorandum from the BAC to the Transportation Board (TB). Marcia requested that a final LCSB memorandum be completed by this Friday and then send it to the TB.

Board members discussed the LCSB's memorandum and Ray recommended changing some of the language to focus specifically on the Natural Areas, and in general recreational use trails versus transportation. Ray volunteered to work on the memorandum to reflect his comments and send to Daylan. Joe suggested revisiting the memo before it goes to Council to address any

other concerns the board might have at the time. It was agreed the memorandum would go the the BAC and TB first and then City Council.

Joe asked that when Ray sends the final memo to Daylan that he copy Michelle and the rest of the Board.

Daylan will inquire with the Tessa McGregor to see if she will be submitting a BFO to fund the one-year pilot, mentioned in earlier meetings.

Easement Request for Interstate Right of Way across Arapaho Bend Natural Area
Daylan Figgs, Environmental Program Manager and Dan Gulley, Real Estate Specialist, presented an easement request for permanent right of way, temporary construction and to quit claim a small, isolated strip of land remaining within the right of way to Colorado Department of Transportation (CDOT). The easement request and quit claim deed are all located within Arapaho Bend Natural Area. Daylan reminded the Board members the easements had been discussed during the March LCSB and no changes to CDOT's request had been made since that presentation.

Daylan reported that NAD would remain in contact with CDOT to make sure restoration is completed and efforts are made to focus on habitat connectivity via the new bridge and underpass.

Marcia Mallory-Patton made a motion that the LCSB recommend that City Council approve CDOT's request for permanent right of way, temporary construction easement and a quit claim deed on Arapaho Bend Natural Area.

Raymond Watts seconded the motion.

The motion was approved 6-2.

Easement Request for Stormwater Outfall on Pelican Marsh
Daylan Figgs, Environmental Program Manager and Dan Gulley, Real Estate Specialist, presented a request for a permanent non-exclusive easement for stormwater improvements on Pelican Marsh Natural Area and a temporary construction easement to aid in the completion of the project. The request had been made by Pedcor Investments – 2015, LLC for a new mixed-use development (Lakeview on the Rise) adjacent to Pelican Marsh Natural Area. The Board had previously approved the easement based on the knowledge of the ownership of land at that time. Daylan reported the ownership dispute was not settled and the developer was seeking an easement in a different location. As such, the easement request was being brought back to the Board for consideration. Daylan described the new easement location and restoration activities

associated with the project. Areas to be disturbed are dominated by non-native grass. Restoration activities will restore the site to native grasses and forbs.

Discussion:

Board members asked what would happen if the easement was not approved by the Board. Daylan explained that since a request had been made, NAD would go to Council with the Board's recommendation to not approve the easement request. Stormwater leaving the developed site will need to stay generally within the historic flow pattern; hence the easement request. The temporary easement is needed to facilitate construction and access to the easement area. NAD's goal is to ensure restoration is completed in a timely manner and to minimize impacts as much as possible.

Kelly was concerned about the water quality in the pond and asked if we could ensure that quality. Dan explained that Stormwater would be responsible for the water quality testing. Daylan explained it was designed to maintain water quality.

Ray was concerned about the contours on the map. Looking at the plat he thinks water could be diverted into Benson Lake without a longer pipeline. It was explained, the land in question abuts the entire southern boundary.

Daylan suggested that at a future meeting, he would like to discuss the Natural Area and Conserved Lands Easement Policy (Resolution 2012-001) to help guide future discussions on easement requests and the types of easements considered in the Policy.

Marcia Patton-Mallory made a motion that the Land Conservation and Stewardship Board recommend that City Council approve the conveyance of one non-exclusive drainage easement, one slope easement, and two temporary construction easements on Pelican Marsh Natural Area to Pedcor Investments-2015-CLII, L.P.

Andrea Elson seconded the motion.

The motion was approved 7 to 1.

Discussion Items

2018 Reappropriation

John Stokes, Natural Areas Director presented the annual reappropriation of prior year reserves to request an LCSB recommendation to City Council.

John explained that funding for the NAD is a lapsing fund. Unspent funds need to be reappropriated every year before they can be used. Much of the money is in the land conservation budget, which we will carry over to be spent in land conservation. The rest of the funds are for restoration of wildlife habit, Poudre River restoration around the Water Park and other Natural Areas programs. John provided a breakdown of the funds in a memorandum.

Discussion:

The following summarizes various concerns and questions from the board.

John explained the unanticipated revenue, listed in the breakdown of unspent funds comes from Help Preserve Open Space revenues that we under projected. The initial number was around \$1M. Internally the finance department gives us revenue projections for Open Space Yes, that's the city sales tax, however they ask NAD to provide a revenue projection for Help Preserve Open Space. This projection is typically done more conservatively. It allows us to put more money in land conservation, which is where we typically anticipate revenues.

John explained the \$268K for water augmentation infrastructure and the Arapaho Bend bank restoration. NAD recently obtained a water decree from Water Court that would allow the control of water levels in some of the Natural Area ponds that are groundwater fed ponds. This would allow us to manage the moisture in the soil to get different plant communities. We now need funding to install the infrastructure needed to manage the water in those ponds.

Daylan explained the \$10K for administrative costs for Nature in the City. Five thousand dollars of that was left over from last year and the additional \$5K is for administrative to assist with the Certified Natural Area Program that Nature in the City is taking over.

John explained the \$45K funds for match to a Colorado Water Conservation Board Grant. That's money that NAD didn't spend last year. It was specifically intended to support river health. We didn't spend that so we are moving it into this year's budget. Kelly thought it should be general fund dollars.

Vicky McLane made a motion that the LCSB recommend that City Council approve the proposed 2018 appropriation of prior year Natural Area reserves.

Marcia Mallory-Patton seconded the motion.

The motion was unanimously approved.

White Water Park Update

Kurt Friesen, Director of Park Planning and Development, along with Deputy City Manager Jeff Mihelich, provided an update on the Poudre River White Water Park construction and the direction the Park Planning and Development would like it to take. Kurt reported that as the final design was being completed, it became clear that they were going to have to eliminate some of the original planned features due to budget constraints. Kurt reviewed those features with the board and presented the additional funds needed for those features. City Council agreed it would be beneficial for Park Planning and Development to come up with some funding strategies to fully realize the vision of the project. City Council asked Park Planning and Development to present the issues to the various boards and get some feedback on the additional \$2 million needed for the features. Kurt explained that all the boards and commission have supported the project and additional funding. He also explained that the project can move forward without the optional features, but with permitting and design coming to an end it would be beneficial to get boards and commissions approval for the additional features. City Council is interested in three top features; the pedestrian bridge, the children's play area and security elements. The LCSB listed top features they also found important. Those features are; security, the pedestrian bridge, a children's play area and landscape enhancements.

Kurt explained the strategy for the costs that beneficially aligns with various departments. An additional \$733K is needed from Stormwater and close to \$500K from the General Fund, \$300K from the URA and \$500K from philanthropic sources. Parks and Planning is asking those departments to contribute those funds to the project.

Parks and Planning will go to City Council with the proposal on April 17, 2018. Kurt asked the LCSB for a motion of support on the additional features and funding as proposed.

Discussion:

Some of the concerns the board had were; transients and whether the white-water park would reduce or increase the impact on ecological features due to landscaping changes; parking availability; security and enforcement; handicap parking; kayak access and overall parking. The biggest advantage to river habitat and health improvement would be the Coy diversion removal and the bank restoration that go along with that. John described the benefits of the removal that will benefit fish passage. John explained that NAD acquired the water right, but he wasn't sure when the removal would have happened. He explained that the white-water park project helped that process move along a lot quicker. John explained that a large portion of NAD's funds, for the project, were to pay for the removal of the Coy Diversion structure and the river bank restoration, to narrow and enhance the channel. It is too wide, and too much of a drop to ensure adequate fish passage.

Raymond Watts made a motion that the LCSB support the optional features for the Poudre River Whitewater Park, prioritizing security, pedestrian bridge, the children's play area and landscape enhancements and expressing the appropriateness of not using any additional Natural Areas Department funds.

Marcia Patton-Mallory seconded the motion.

The motion passed 6-2

Mark Sears, Natural Areas Department Manager, reported closing on the 54 acres at CSU. The Humane Society finished their demolition and the property NAD is purchasing. Mark went out for an inspection and walked the property. A Phase II will be done to ensure for safe soil and water. The closing should be end of April, beginning of May. Mark reported other future closings and land conservation work.

Budgeting for Outcomes 2019-2020

John Stokes, Natural Areas Director provided an update on Budgeting for Outcomes and offers to be submitted by Natural Areas. John reported on the 2019-2020 BFO process and provided an overview of the 2017-2018 budget. John stated that while our budget is pretty much the same moving forward, items that will be different are described in enhancement offers. NAD will submit BFO offers on April 29th. We will come back to the Board in May to discuss our projected budget for 2019-2020. John agreed to circulate the enhancement offers for the Board meeting in May. He agreed to send the data for 2017-2018 to board members. He explained the enhancement offer that relates to river health is the reconstruction of the low head diversion structure at the Environmental Learning Center. This structure is tied to the first recreational in-channel diversion to be decreed in Colorado. Fort Collins wanted to develop a water right down by the ELC that is senior to the Thornton water right. The diversion has been blown out and been rebuilt several times. In order to protect that water right we have to maintain that diversion. The enhancement would be for the design and permitting and the next budgeting cycle will be for the actual construction work. We're estimating the design and permitting to be about \$750,000 that will be split between Natural Areas, Utilities and General Fund.

Another water related enhancement is a water resource engineer position that will be based in Utilities. NAD needs ongoing engineering with respect to our augmentation plan and will need an additional part time staff member to operate the plan. The shared position with Parks and Utilities will meet Natural Area's needs.

The other position we're looking at is to increase our part time GIS specialist to full time. This position has benefited our operations tremendously. For example, all of our field operations are

recorded on tablets and go straight into GIS. We track our pesticide, restoration, herbicide use and are developing new dashboards or metrics describing how we're making investments and if those investments are beneficial. This position is way overdue. This would be a permanent FTE, housed in Natural Areas.

John reported that NAD currently has 7 full time rangers, which creates significant issues in terms of rotation. The City Manager approved a new ranger position last year that we have not filled to date. We are now thinking we would like to have one or two armed rangers and are in the process of determining how to best make this happen. We're looking at a couple of business models and talking to Police Services on what that might look like. The idea we are considering is to have one of our current rangers attend the police academy and get certified to be an armed ranger. I would like to have the general fund to have some contribution as far as community policing. These rangers would report to Police Services.

John explained the new organizational changes within NAD. He explained there are new supervisory roles. Rick Bachand will be supervising the rangers. Mark Sears will be supervising Field Services, he'll be doing Public Improvements and Resource Management in the field. We will be hiring a new land conservation manager. It will take a while to transition into that but Mark will supervise that position. Education and Outreach doesn't change. We're creating a new workgroup called Project Management and Planning. Daylan Figgs will oversee that group. There will be a lot of cross pollination in these groups.

Kelly asked John for a copy of the new organizational chart.

Meeting adjourned: 8:55 pm

Approved:



, Chair

5/9/18

Date



, Secretary

Michelle Vattano