

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

**Regular Meeting
February 14, 2018
1745 Hoffman Mill Road
5:30 p.m.**

Council Liaison:
Gerry Horak 420-7398

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, Edward Reifsnnyder, Vicky McLane, Joseph Piesman, Andrea Elson, Kelly Ohlson, Marcia Patton-Mallory, Raymond Watts, Mike Weber

NAD Staff: Daylan Figgs, Mark Sears, John Stokes, Tawnya Ernst

Public Attendees: Cole Kramer, Lucas O'Connor, Molly Anderson, Allison Rowley

Call meeting to order: 5:30 pm

Introductions: Lucas, Molly and Allison introduced themselves as CSU students

Public Comments: None

Approval of Minutes: Marcia and David offered grammatical and discussion amendments

Joseph Piesman made a motion to approve the January LCSB minutes as amended.

Vicky McLane seconded the motion.

The motion was unanimously approved.

Communication and Board Matters:

Kelly thanked Board members for their support and attendance at the City Council meeting during the McCurdie land sale discussion. The McCurdies requested NAD to sell a 600-square foot parcel located on Pineridge Natural Area. The McCurdies are adjacent homeowners.

Ed reported having a conversation with Councilman Gerry Horak, at that City Council meeting, regarding NAD land sales. Gerry suggested to Ed, that NAD implement a policy addressing NAD land sales. Natural Areas Department has already adopted a Land Disposition Guideline that outlines how property is sold by NAD. Ed suggested the LCSB provide Councilman Horak with a copy of the guidelines and add the discussion to a future agenda.

Joe suggested moving the March 14th LSB meeting be rescheduled due to spring break week. Several board members reported being out of town and thought it was a good idea. The Board agreed to move the March meeting to March 8th.

John suggested adding Budget for Outcomes to the 2018 LCSB Draft Agenda. The agenda item is scheduled for the April 11 meeting.

Ed expressed he would like to consider the e-bike issue again with the objective of coming up with a statement or policy, from the board, that would lay out some common-sense guidelines for the issue. He suggested the item be put on a future agenda. Kelly suggested drafting a memo, to City Council, next week with an introduction to the Board's concerns. Joe suggested waiting on a memo until the Board could hear from other BAC members and maybe even some NAD rangers on their thoughts on the issue. The Board agreed to draft a memo and then bring the memo to the March meeting as a discussion item.

Action Items

Election of Officers

Ed reported that he would be interested in continuing to be the Chair and volunteered to continue as so, but understood if the Board was interested in another Chair member. Since he was still interested in being Chair, he asked David to take the lead in the election process. Kelly suggested, and the Board agreed to discuss and offer their recommendations for the Chair's responsibilities and expectations.

Those recommendations for the new Chair, are as follows:

- Assist with setting the agenda
- Perform outreach on the agenda items (i.e. public profile, meet with NAD liaison, meet with City Council)
- Coordinate with other board members on agenda items

- Representation to NAD staff on behalf of the Board
- Extended strategic thinking about increase population and natural area distribution
- Proactive time management
- Proactive consideration for the agenda and the dynamics of the meeting
- Encourage new members to engage in the process
- Work with Vice Chair to set the agenda and focus on outcomes of meeting
- Reminder that board works for City Council not NAD staff
- Inquire with board members about agenda items
- Limit short term pressing items from NAD staff dominating meetings
- Strategic items mixed in with tactical items
- Working with staff but not for staff
- Concerns with outcome of meeting versus concern with the clock
- Relate to new board members and ensure they understand the discussion

Christine Macrina, City Clerk's office, encourages board members to mentor new board members as often as possible. Christine handles all Boards and Commissions from the City Clerk's office.

John offered, to board members, any opportunity to meet with him or staff to provide a full description of NAD's work, goals and mission.

Ray asked if Board members were aware that there are tax laws and credits for landowners willing to adopt conservation easements. John offered to provide information on the topic during a future meeting and feel the issue is important for board members to be aware of as well.

Vicky McLane nominated Joe Piesman as Chair of the Land Conservation and Stewardship Board.

The Board concurred.

David took a tally of votes for both Ed and Joe. Joe won by majority vote.

Vicky nominated Raymond Watts as Vice Chair.

The Board concurred.

Joe Piesman reported that traditionally, a LCSB member would volunteer to act as a Bicycle Advisory Committee Liaison to the LCSB. Joe has served as the liaison for the last year, reporting to the board. He asked if anyone else would be interested in taking that role. Marcia Patton-Mallory agreed to serve as the new liaison. Joe agreed to meet Marcia for the first meeting to introduce her to the Board. The BAC meets the 4th Monday of the month, at 215 Mason St, in the Community Room, at 6:00 p.m.

Easement Request for buried utilities across Soaring Vista Natural Areas

Tawnya Ernst, Real Estate Specialist, reported that the City of Loveland came to NAD, early last fall and asked for an underground utility easement across Soaring Vista. Loveland plans to install a buried electrical utility line as an extension of a project approved by City Council in 2016 on the Northern Colorado Regional Airport property. The last portion of the line will go all the way east along CR 30 to I25. This easement will assist in the need to serve a growing development in the area. Tawnya explained to board members the location of the easement, the fact that impacts would be minimal. Tawnya explained that NAD will receive a \$3,000 administrative fee for the easement, which is a typical charge for these types of requests. Discussion: Andrea mentioned the bank was 10’ and asked why Loveland was requesting a 25’ wide easement. Daylan explained that if Loveland needed to come back, in the future, to excavate and repair the line, this provides the area needed for that to occur. It also provides a safety buffer around the conduit bank. Daylan explained the 25’ was pretty standard for an electric easement.

Daylan explained the area is an agricultural field and that NAD is in the process of restoring it back to grass. He explained that it’s unlikely that there will be a surface impact but if there is, then restoration would include native grasses and forbs. This property, because NAD purchased the water rights, will continue to be managed as an irrigated farm.

Vicky McLane made a motion that the Land Conservation and Stewardship Board recommend that City Council approve conveyance of a utility easement to the City of Loveland on Soaring Vista Natural Area.

Marcia Patton -Mallory seconded the motion.

The motion was unanimously approved.

Notice of Alignment on Arapaho Bend Natural Area

Tawnya Ernst, Real Estate Specialist, introduced a potential Right of Way and Notice of Alignment request at the intersection of Harmony and Strauss Cabin Road. The southwest corner of the intersection is being developed into housing and that that is prompting signalization of that intersection. The ROW project will construct road and intersection improvements, utility

relocations, and fully signalize the intersection of Harmony Road and Strauss Cabin. Tawnya explained the positive things will be the update of the current light pole to minimize light pollution, a pedestrian crossing will be installed to connect residents to the natural area safely and the current three powers lines will be moved to underground. The vegetation will be reseeded to native vegetation. In addition to the ROW and Notice Alignment there is a 348-square foot drainage alignment.

Discussion:

According to the memorandum, the Utilities Department would be installing conduit, cable and vaults later this Spring. Vicky questioned why the Board was just hearing of this proposed easement and felt there wasn't enough time to appropriately address the project. She asked how we could get other city departments to give enough time for the board to consider issues such as this that impact natural areas. She would like to see NAD send out a memo to other departments requesting an appropriate amount of time for the board to address these projects. Daylan reminded board members that the light and power portion of this project was presented to the board last summer, and at that time NAD was unaware of the full construction project. Some board members were alright with the easement and felt the design was certainly favored any environmental impacts and felt confident that NAD was taking the appropriate steps to ensure minimal impact to the area. Safety was also a concern, with the new development and increased capacity, however some board members felt it was yet another example of how development continues to nibble away at our natural areas.

Mark reminded board members that the City has a Master Street Plan and that NAD must continue to support that plan. Unfortunately, NAD just happens to purchase land in those future arterial roads.

Edward Reifsnnyder made a motion that the Land Conservation & Stewardship Board recommend that City Council approve declaration of a certain portion of City-owned Property on Arapaho Bend Natural Area as road right-of-way. In addition, the Land Conservation and Stewardship Board recommend that the City Manager approve a Notice of Alignment for installation of light and power infrastructure and for drainage on Arapaho Bend Natural Area.

Marcia Patton-Mallory seconded the motion.

The motion was unanimously approved.

Vine Drive ROW Expansion, Tawnya Ernst, Real Estate Specialist, identified six parcels, owned by the City, with frontage on East Vine Drive in the 100 and 200 blocks of said drive. Four of the parcels have been acquired for the Whitewater Park. Natural Areas and Stormwater acquired a parcel in 2002 and the remaining parcel was acquired by Stormwater in 2011. All six

parcels will be replotted and incorporated into the Whitewater Park. The Whitewater Park will require 724 sq. ft. of the Natural Areas parcel as part of the right of way.

Because stormwater and natural areas are contributing to the whitewater park, and this is such a small piece of natural areas, NAD decided to contribute the 724-sq. ft. to the whitewater park effort. They will be installing parallel parking, bike lanes, curb and gutter and a formalized right of way strip with trees, irrigation and turf grass to support the Whitewater Park.

Discussion:

Kelly asked why we are not voting on this ROW, but we voted on the other requests. Tawnya responded that the area will end up becoming Parks Department property, it's in a bit of a state of flux as far as its use and who will ultimately be responsible for it. Mark explained that this was already headed to City Council and that it was too late to get a recommendation to get a vote in from the board. He thought it would be better for the board to at least be advised. Kelly reminded board members that it's crucial the LCSB have the opportunity to vote on easements.

John explained that history of that property is that NAD never purchased that land, other than the lot. The land was owned by the Utilities Department a long time ago and somehow it ended up at NAD. The other thing to know is this area is going to be under the Parks Department. NAD will not be managing this area. Whether we own it in the future or we don't, the management will be under Parks Department.

Energy by Design

Daylan Figgs, Environmental Program Manager, updated the Board on the Energy by Design issue. He reported that several years ago, NAD was approached by the oil and gas companies regarding mineral rights at Soapstone Prairie, Meadow Springs and Red Mountain. Natural Areas Department doesn't own the minerals underlying those properties. This was a plan put in place to answer a question on how to allow reasonable access to the mineral estate while still protecting the surface values of the property. The presentation for the LCSB was in relation to the transmission line that will likely be proposed as part of the wind farm that's being built in Wyoming in response to an RFP from Platte River Power Authority. Daylan presented to the board the basis of Energy by Design and its implementation into this project.

We may be asked for a Right of Way or an easement, but we want to talk specifically about the wind farm and the impact within this landscape that we work within. It's not on our property but obviously tied to our property

Energy by Design is appropriate in this situation because of the many environmental aspects of this project. The issue is protecting the surface of these properties from both ecological, cultural resource, recreation and scenic values, while still having these energy development projects?

That's the underlying questions behind all this. This EbD project was a collaborative effort that includes Nature Conservancy, School Land Board, Larimer County, Bird Conservancy of the Rockies, City of Fort Collins and other organizations to bring data to the discussion and planning. Energy by Design is intended to result in a net zero impact by focusing on areas to avoid, minimizing impacts and mitigating or offsetting the impacts that do occur.


Daylan explained how the proposed project area has been categorized into surface occupancy zones. Areas that can't be replicated with restoration are areas that are intended to be off limits. Areas previously impacted or fragmented by past land uses are zoned as areas to focus new impacts into. Other zones fall within the two extremes and allow for unavoidable impacts that can be mitigated. and are zoned as one area and areas that are least impacted are zoned as another area. Daylan explained that because of this proposed project many positive steps have been taken to ensure future conservation of these areas. A set of Reclamation Standards was developed out of this. A bond value was also set per acre. Best Management Practices were developed as a result of this as well.

Discussion:

Board members were extremely concerned about the unique qualities of the area and ensuring the protection of it. Daylan assured the board that ecological and cultural assessments will continue, such as raptor surveys, prairie dog assessments and cultural and plant resource assessments. With many questions unanswered, Daylan assured board members that as soon as he knows more about the project and as soon as Platte River Power Authority has contacted him to discuss the project he will bring it forward to the board for discussion.

The board moved into Executive Session, with Joseph Piesman presiding as Chair and Raymond Watts presiding as Vice Chair. Executive Session commenced at 7:49 p.m. and adjourned at 8:59 p.m.

Approved:

 _____, Chair 3/8/18 Date

 _____, Secretary
Michelle Vattano

