



**Parks & Open Space Advisory Committee
AGENDA**

November 18, 2021
6:30 p.m.

Virtual Meeting

Suggested Timetable

6:30 Call to Order

Approval of the October 28, 2021 Meeting Minutes

ACTION REQUESTED: Minutes Approval

Approval of the October 21, 2021 Joint Meeting Minutes

ACTION REQUESTED: Minutes Approval

6:35 Election to Select New POSAC Vice Chair

ACTION REQUESTED: POSAC Vote

6:45 Public Participation - Items Not on the Agenda

Presentations

6:50 Liley, Roberts (SIMI), Thompson (Tommy), and Valley Investments –2021 Transfer of Management

ACTION REQUESTED: Recommendation to BOCC

PRESENTER: Tina Burghardt, Senior Land Officer

7:00 Barrett 2 – 2021 Access Easement Relinquishment

ACTION REQUESTED: Recommendation to BOCC

PRESENTER: Tina Burghardt, Senior Land Officer

7:10 Review of Proposed Cropland Policy Amendments

ACTION REQUESTED: Recommendation to BOCC

PRESENTER: Cassandra Schnarr, Agricultural Resources Supervisor

8:10 Parks & Open Space 2022 Capital and Stewardship Project Funding

ACTION REQUESTED: Recommendation to BOCC

PRESENTER: Tina Nielsen, Special Projects

9:10 Director's Update

9:15 Adjourn

DRAFT

**Parks & Open Space Advisory Committee
MINUTES**

October 28, 2021
6:30 p.m.

Virtual Meeting

Call to Order

The meeting was called to order at 6:30 p.m. by James Krug

Members:

Heather Williams
James Krug
Jenn Archuleta
Paula Fitzgerald
Trace Baker
Tony Lewis
Janet George
Steven Meyrich -- **Excused**
Ann Obenchain -- **Excused**

Staff:

Therese Glowacki, Director
Cassandra Schnarr
Renata Frye
Vivienne Jannatpour
Jeff Moline
Conrad Lattes

Approval of the Sept. 23, 2021 Meeting Minutes

ACTION REQUESTED: Minutes Approval

ACTION: Baker moved approval of item. Fitzgerald seconded the motion.

VOTE: **AYES:** Williams, Archuleta, Fitzgerald, Baker, Lewis, George; **ABSTAIN:** James Krug;

EXCUSED: Steven Meyrich, Ann Obenchain;

Public Participation - Items Not on the Agenda

None

Presentations

Updates to the Cropland Policy: Deliberation and Recommendation

ACTION REQUESTED: Recommendation to BOCC

PRESENTER: Cassandra Schnarr, POS Agricultural Division Specialist

Attachment: Oct 28 Draft Minutes (7580 : Approval of the October 28, 2021 Meeting Minutes)

Tanner Starbard from MadAg was present to answer questions.

Votes by Staff Recommendation (started at 7:36 p.m.)

1. NeoNic Phaseout
 - Motion: Paula
 - Second: Heather
 - Votes: 6 Ayes, 1 Nay (Jim Krug)
2. GE Crops
 - Motion: Paula moved to approve recommendation as-is.
 - Second: Jim
 - Votes: 5 Ayes (Jen, Janet, Trace, Heather, Jim), 2 Nays (Tony, Paula)
 - Motion to Amend: Paula (all new requests, including additional sugar beet and corn acres need to be approved by staff)
 - Second to amendment: Tony
 - Votes: 3 Ayes (Tony, Paula, Jim); 4 Nays (Jen, Janet, Trace, Heather)
3. Soil Health
 - Motion: Jim
 - Second: Tony
 - Votes: All in favor (7-0)
4. Edit Cropland Policy
 - Motion: Paula
 - Second: Jim
 - Votes: All in favor (7-0)

Director's Update

- The BOCC Cropland Policy decision will be on Thursday, Nov. 4.
- The BOCC Mayhoffer Farm Management Plan decision will be on Thursday, Nov. 4.
- The next POSAC meeting will be on Thursday, Nov. 18.
- The 2021 Outdoor Creations Plein Air Art Show will open with a reception on Friday, Nov. 12, 5-8 p.m. at the Great Frame Up in Longmont. The exhibit will run through Dec. 30.
- The Hessie Shuttle has ended for the season. This year saw nearly 34,000 riders.
- Heil Valley Ranch recovery continues with detailed design work.
- We are evaluating a temporary or permanent reroute to accommodate a new Golden Eagle nest. The original nest was destroyed in the Cal-Wood fire and the new nest is too close to the trail.
- The CSU Extension office, located at the fairgrounds, experienced flooding due to a frozen pipe last winter and has just reopened.
- The Fairgrounds Master Plan is in the works. There will be an open house for the public at the Exhibits building on Tuesday, Nov. 16, 5-7:30 p.m.
- The 5-year Visitor Study is complete, and we are compiling the results and will bring those to POSAC in the coming months.
- The Recreation & Facilities Manager position and Senior Ranger position are currently interviewing candidates.
- Entries for cut-your-own Christmas tree permits are due Sunday, Nov. 14. at midnight. One hundred permits will be issued.

Adjourn

The meeting was adjourned at approximately 8:14 p.m.



**Joint Meeting
Parks & Open Space Advisory Committee
City of Lafayette Open Space Advisory Committee
City of Louisville Open Space Advisory Board**

MINUTES

October 21, 2021
7:00 p.m.

Virtual Meeting

Call to Order

The meeting was called to order at 7:00 PM by Trace Baker.

Members:

Jenn Archuleta
Steven Meyrich
Trace Baker
Ann Obenchain
Tony Lewis
Janet George
Heather Williams – Excused
James Krug – Excused
Paula Fitzgerald - Excused

Staff:

Tina Nielsen
Vivienne Jannatpour
Nik Brockman
Renata Frye

Presentations

Mayhoffer Farm Management Plan

ACTION REQUESTED: Recommendation to BOCC

PRESENTER: Ethan Abner, Cara Potter, and Jena VanGerwen, CU MENV Students

ACTION: Lewis moved approval of item. Obenchain seconded the motion.

VOTE: **AYES:** Archuleta, Meyrich, Baker, Obenchain, Lewis, George; **EXCUSED:** Heather Williams; James Krug, Paula Fitzgerald

POSAC unanimously voted to recommend the management plan as presented.

LOSAC unanimously voted to recommend the management plan as presented.

LOSAB unanimously voted to recommend the management plan with the addition of language to include land acknowledgement from indigenous peoples.

Adjourn

The meeting was adjourned at approximately 8:53 PM



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, November 18, 2021

Location: Virtual Meeting

TO:	Parks & Open Space Advisory Committee
FROM:	Tina Burghardt, Senior Land Officer
AGENDA ITEM:	Liley, Roberts (Simi), Thompson (Tommy), and Valley Investments-2021 Transfer of Management (For 120 th Street Shoulders Reconstruction)
ACTION REQUESTED:	Recommendation to the BOCC

Land Acknowledgement: Parks & Open Space appreciates the thriving and diverse Indigenous communities in Boulder County. We are working to build stronger relationships with local Indigenous people and tribal governments. We value and honor the Indigenous legacy of stewardship on the open lands Parks & Open Space now manages on behalf of the residents of Boulder County. One way we are honoring that legacy is to acquire and then steward open space for current and future generations to enjoy.

Summary

Boulder County proposes to transfer management of approximately 2.34 total acres of the Liley, Roberts (Simi), Thompson (Tommy), and Valley Investments open space properties located on the east and west sides of 120th Street north of Dillon Road. These 2.34 acres are currently under the management of the Boulder County Parks & Open Space department and would be transferred to the Boulder County Public Works (formerly Transportation) department for shoulder reconstruction along 120th Street in Boulder County.

Background Information

Public Works will soon begin the reconstruction of the shoulders along 120th Street north of Dillon Road. This project will affect relatively small parcels along 120th Street that are part of the Liley, Roberts (SIMI), Thompson (Tommy) and, Valley Investments open space properties. These affected areas are all on the edge of the existing right of way along 120th Street and are depicted on the map attached to this memo.

Although both the road and properties are owned by Boulder County, they are under different managing departments. Public Works will be taking over permanent management of the 2.34 acres of land and this permanent transfer of management must be accounted for and recognized. Both departments are part of the county, and Public Works has proposed acre-for-acre swaps, rather than dollar transfers. Parks & Open Space is tracking these swaps on a balance sheet, and Public Works will later give Parks & Open Space land that it wants for open space.

Public Process

Parks & Open Space follows specific procedures to dispose of these 2.34 acres, including newspaper notice. This notice included an invitation to attend and comment at this meeting.

Attachment: POSAC Memo - Liley FINAL (7581) : Liley, Roberts (SIMI), Thompson (Tommy), and Valley Investments –2021 Transfer of

No public comments have been received to date. Any comments we receive will be shared with you at the meeting.

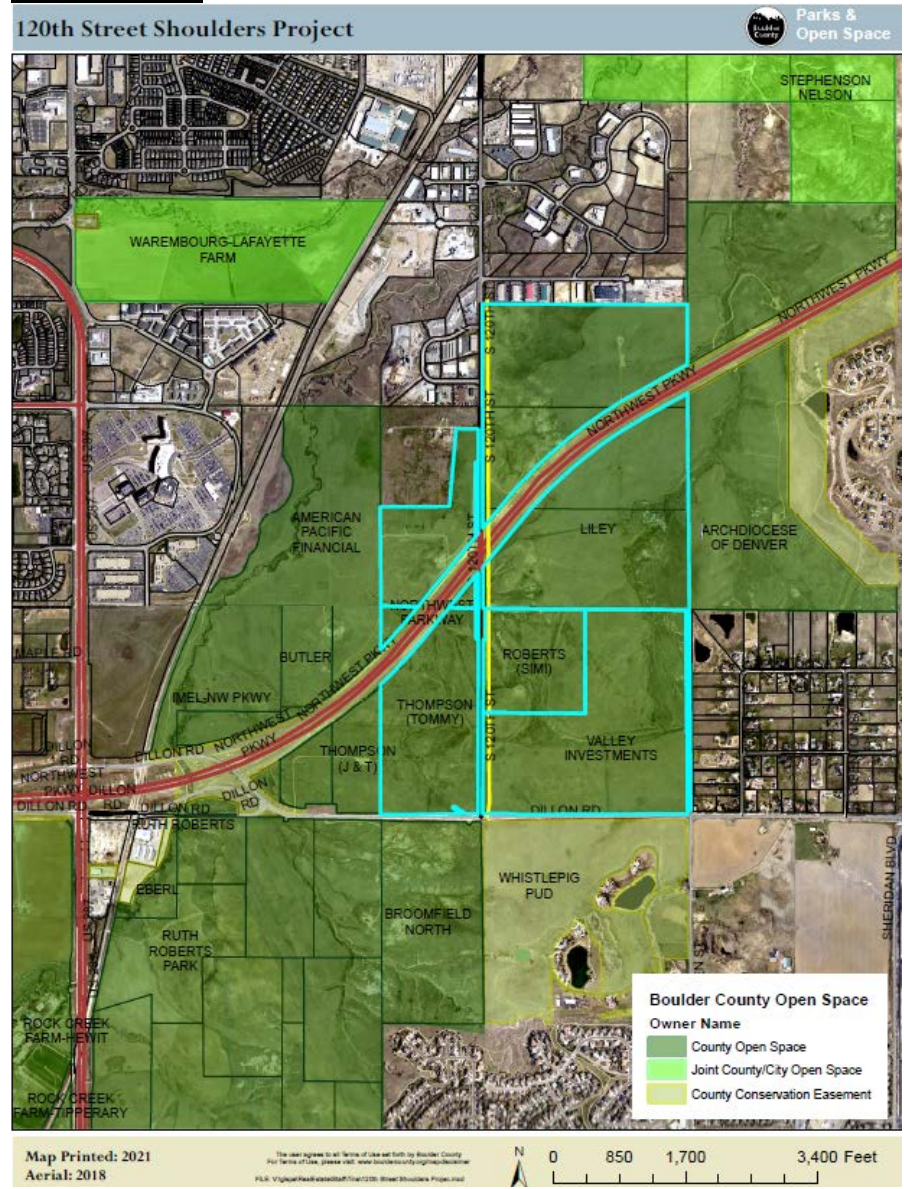
Staff Recommendation

Staff recommends the requested transfer of management and swap arrangement for approval.

POSAC Action Requested
Recommendation to the Boulder County Commissioners for approval of the transfer of management of 2.34 total acres of the Liley, Roberts (Simi), Thompson (Tommy), and Valley Investments open space properties as described above.

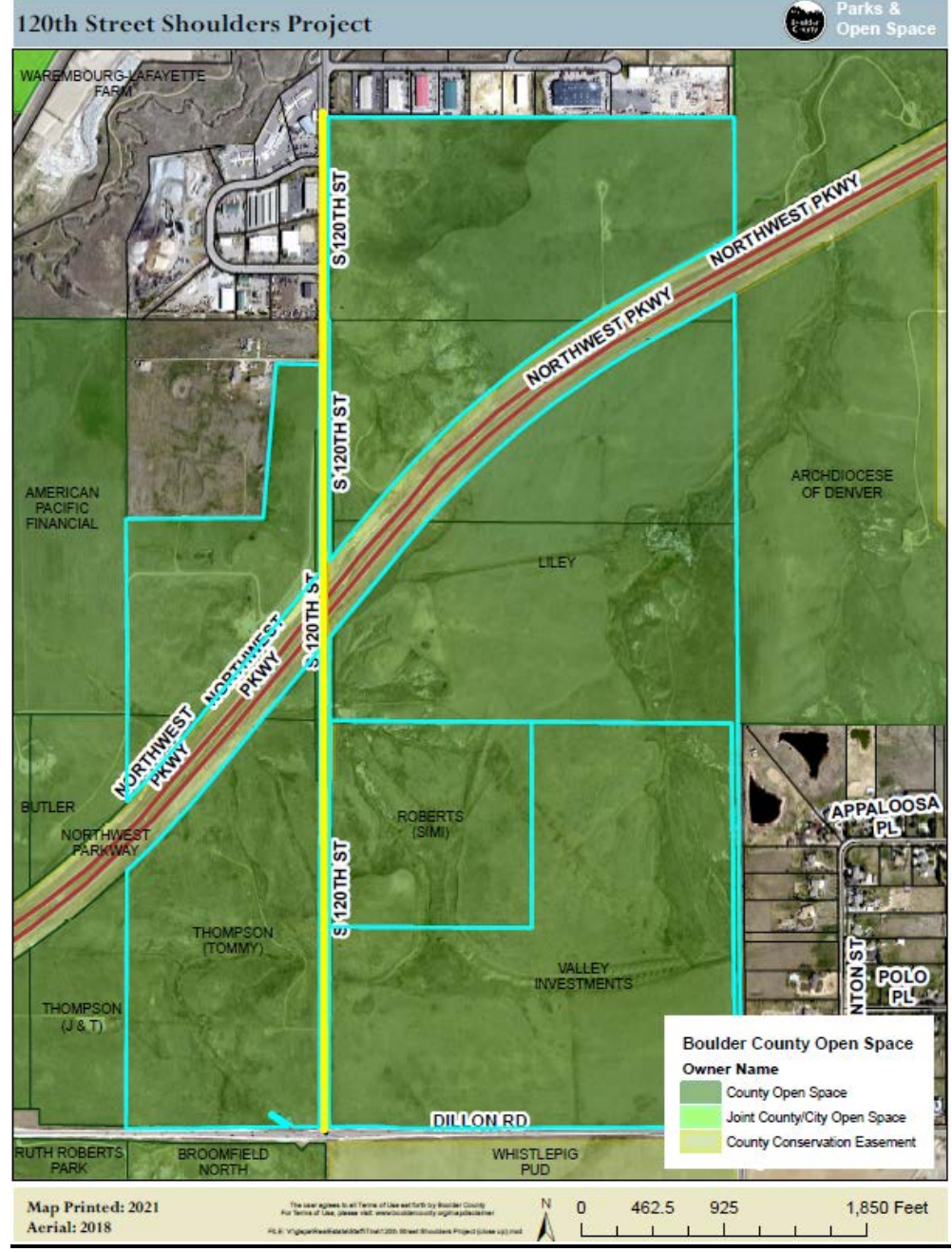
Suggested motion language: I move approval of this transaction as staff has described.

Vicinity Map:



Attachment: POSAC Memo - Liley FINAL (7581 : Liley, Roberts (SIMI), Thompson (Tommy), and Valley Investments –2021 Transfer of

Close-Up Map:



Attachment: POSAC Memo - Liley FINAL (7581 : Liley, Roberts (SIMI), Thompson (Tommy), and Valley Investments –2021 Transfer of



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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, November 18, 2021

Location: Virtual Meeting

TO:	Parks & Open Space Advisory Committee
FROM:	Tina Burghardt, Senior Land Officer
AGENDA ITEM:	Barrett 2 – 2021 Access Easement Relinquishment
ACTION REQUESTED:	Recommendation to the BOCC

Land Acknowledgement: Parks & Open Space appreciates the thriving and diverse Indigenous communities in Boulder County. We are working to build stronger relationships with local Indigenous people and tribal governments. We value and honor the Indigenous legacy of stewardship on the open lands Parks & Open Space now manages on behalf of the residents of Boulder County. One way we are honoring that legacy is to acquire and then steward open space for current and future generations to enjoy.

Summary

Boulder County proposes to relinquish an existing access easement that provides access to the Barrett 2 open space property in exchange for an improved access along the to-be-built Park Ridge Avenue. The Barrett 2 property is located north of Hwy 66 and east of N. 107th Street (US 287) and just north of the parcel through which the current access easement is located and is depicted on the map attached to this memo.

Background Information

Boulder County acquired the 40-acre Barrett 2 open space property in 2002 from Stan Barrett, Inc. (“Seller”). The acquisition also provided that the Seller retain 31 acres to the south that are subject to an access easement to provide the county access to the northern 40 acres. The access easement and the south 31 acres are depicted on the second map attached to this memo.

A developer intends to develop the property south of the Barrett 2 property into an apartment community. The developer approached Parks & Open Space in 2019 and requested the relinquishment of the access easement since its alignment runs right through the middle of the proposed development. In exchange for relinquishing the access easement, the developer will provide an improved access to the county via the new Park Ridge Avenue and a dedicated alternate access easement. (The proposed new access easement is depicted on the map and site plan attached to this memo). The new access easement will provide the county better access to the Barrett 2 property since Park Ridge Avenue will be a paved, public road with the remainder of the new access easement along a dedicated emergency access easement that leads directly to the county’s access to the Barrett 2 property. The current access easement is a rough, not well defined two-track surface.

The county will enter into an agreement with the developer that conditions the relinquishment of the existing access easement upon the completion of Park Ridge Avenue,

granting the county the alternate access easement, and developing physical access to the Barrett 2 property to the county's satisfaction.

Public Process

The resolution language creating the sales tax that was used to purchase the Barrett 2 property requires specific procedures be followed in order to relinquish the current access easement, including, newspaper notice and a 60-day waiting period following county commissioner approval.

The notice included an invitation to attend and comment at this meeting. No public comments have been received to date, and any additional comments we receive after the date of this memo will be shared with POSAC at the meeting.

Staff Recommendation

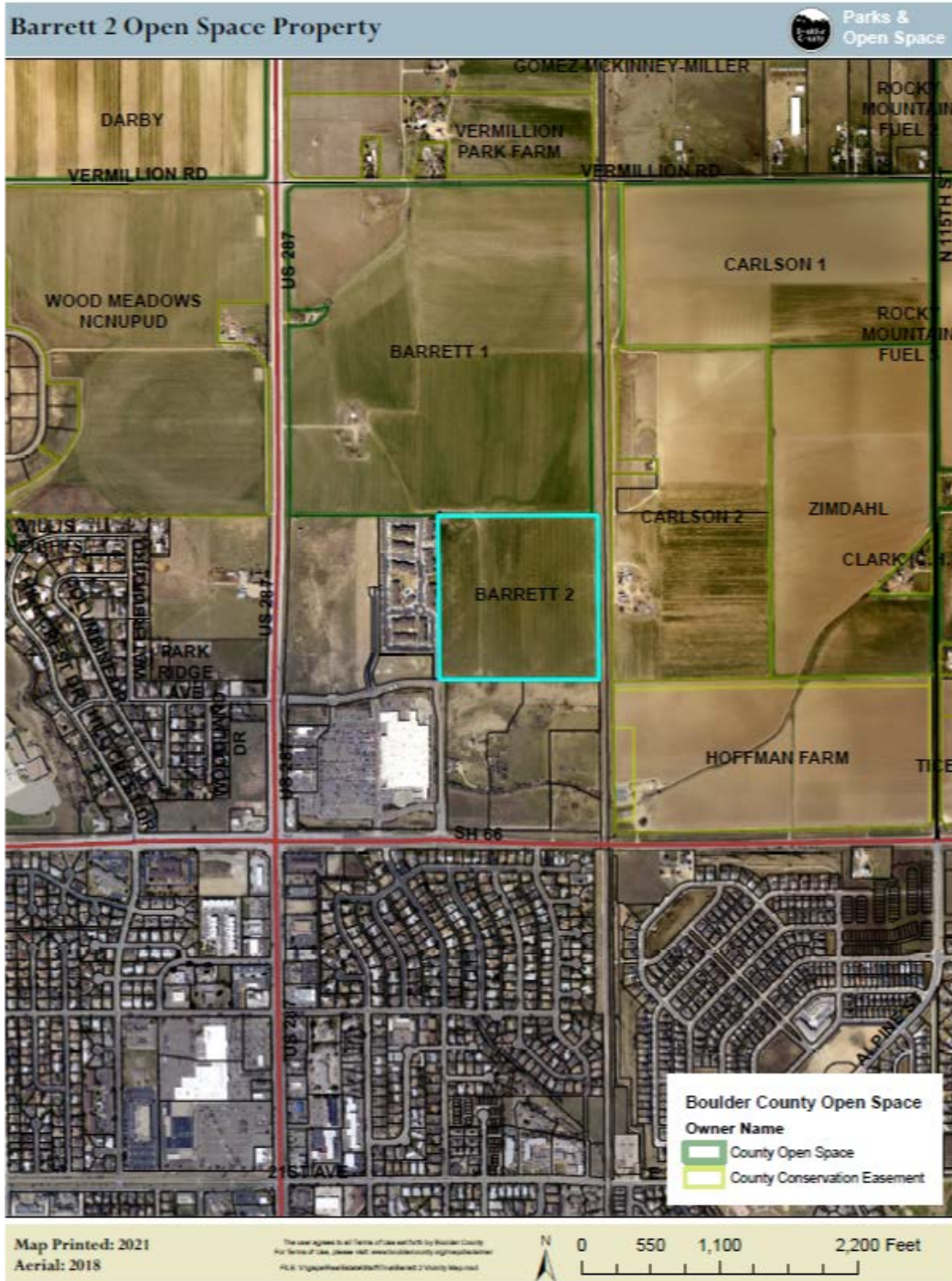
Staff recommends approval of the relinquishment of the current access easement in exchange for an improved access easement to the county's Barrett 2 open space property. The new access easement provides better access via a public road and dedicated access easement.

POSAC Action Requested

Recommendation to the Boulder County Commissioners to approve the request as described above and as presented by staff.

Suggested motion language: I move approval of the relinquishment of the access easement as staff has described.

Vicinity Map:



Attachment: POSAC Memo - Barrett 2 - 2021 Access Easement Relinquishment FINAL (7582 : Barrett 2 - 2021 Access Easement

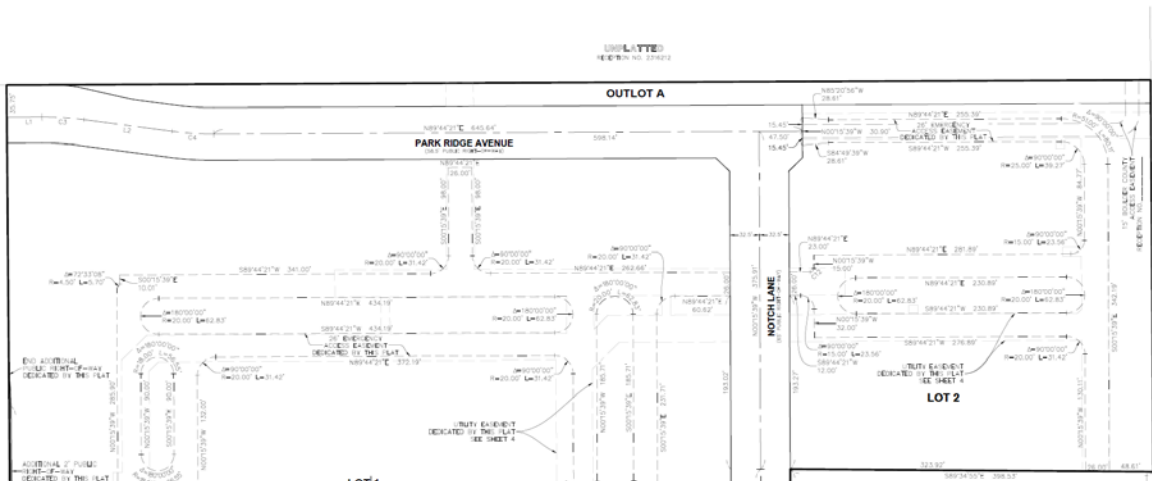
Close-Up Map with Existing Access Easement & Proposed New Access:



Site Plan:

NOTCH66 BY WATERMARK FINAL PLAT

LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22,
TOWNSHIP 3 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF LONGMONT, COUNTY OF BOULDER, STATE OF COLORADO



Attachment: POSAC Memo - Barrett 2 - 2021 Access Easement Relinquishment FINAL (7582 : Barrett 2 – 2021 Access Easement



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Boulder County Parks & Open Space Advisory Committee

Time/Date of Meeting: 6:30 p.m., Thursday, November 18, 2021

Location: Virtual Meeting

TO:	Parks & Open Space Advisory Committee
FROM/PRESENTER:	Mike Foster, POS Agricultural Division Manager
AGENDA ITEM:	Review of Proposed Cropland Policy Amendments
ACTION REQUESTED:	POSAC review and edits of attached amended Cropland Policy and recommendation to BOCC

Proposed Cropland Policy Amendments

Based on BCPOS experience since adopting the Cropland Policy (2012 and revised in 2017), staff recommended the following updates to the Cropland Policy which POSAC reviewed and approved on October 28:

1. Neonicotinoid Phaseout: The county will phase out neonicotinoid pesticides, effective 12/31/2021, with the exception of neonicotinoid coated sugar beet seeds.
2. GE Crops: Sugar beets and corn with Roundup Ready and/or Bt traits can be grown on BCPOS agricultural lands, as outlined in Section 6 of the 2012 Cropland Policy.
3. Soil Health: The county will expand work with tenants to focus on improving soil health including carbon sequestration.
4. Pursue edits of the Cropland Policy: Incorporate BOCC direction on any policy changes and streamline language to remove inconsistent or conflicting language.

The goals of recommendation number 4, Update the Cropland Policy, include:

1. Allow the policy to stand as the statement of principles and priorities in managing agricultural open space.
2. Streamline the document to only include information pertinent to the application of the policy.
3. Remove redundancies.
4. Identify portions of the policy that are unclear and re-write to clarify intent.
5. Remove portions that are subject to change.
6. Remove portions that are internal staff procedures.

Attachment: Cropland Policy Memo Packet for POSAC 18 November 2021 (7583 : Review of Proposed Cropland Policy Amendments)

The purpose of this memo is to introduce documents related to the edits of the Cropland Policy.

Attached are:

- Draft of the revised Cropland Policy
- 2012 to 2021 Cropland Policy Update Guide
- Redline version of the 2012 Cropland Policy

The Draft 2021 Cropland Policy is a restructured version of the policy including new section titles, streamlined background and context information, clarified language, and incorporation of the direction given by BOCC on November 4.

The Policy Update Guide is a bridge document connecting the original 2012 Policy to the 2021 updates. The Guide is a table showing the original policy language next to any revisions to the policy language as well as the new location of portions of the policy.

The Redline version of the 2012 Cropland Policy displays exactly what has been recommended for change.

Boulder County Parks & Open Space Cropland Policy



Updated 2021

Boulder County Parks & Open Space Cropland Policy

Boulder County Parks & Open Space Cropland Policy

We are indebted to the members of the community who served on the Cropland Policy Advisory Group for their time, effort, and willingness to engage in the discussions that formed this policy.

Cropland Policy Advisory Group

Rich Andrews	Keith Bateman
Ewell Culbertson	Jeannette Hillery
Dan Lisco	Emily Prisco
Dea Sloan	Jane Utti
Jules Van Thuyne	

Cropland Policy Planning Team

Ron Stewart, Parks & Open Space Director

David Bell, Parks & Open Space Agricultural Resources Division Manager

Therese Glowacki, Parks & Open Space Resource Management Division Manager

Rich Koopmann, Parks & Open Space Resource Planning Division Manager

Tina Nielsen, Parks & Open Space Special Projects Manager

Adrian Card, Colorado State University Extension Service, Boulder, Extension Agent

Meaghan Huffman, Parks & Open Space Agricultural Resource Division, Resource Specialist

Jesse Rounds, Parks & Open Space Resource Planning Division, Resource Planner

Boulder County Parks & Open Space Mission

To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values

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Boulder County Parks & Open Space Cropland Policy

Cropland Policy Vision

Boulder County Parks & Open Space's vision is to be a national leader in sustainable agriculture.

Purpose Statement:

The policy directs Boulder County Parks & Open Space (BCPOS) management of cropland on agricultural properties owned by the public and leased to tenant farmers. The policy supports the sustainable stewardship of the lands by the department's tenant partners who reflect a diversity of agricultural producer systems. The policy frames and defines the BCPOS programs for conducting this work.

Scope:

The policy applies to BCPOS and the tenant farmers managing croplands on county open space for the years 2022 – 2027.

Agricultural properties and operations covered by this policy include dryland and irrigated crop production acres, irrigated pasture and irrigated forage acres, and infrastructure supporting these operations.

Dryland pasture for grazing is covered under the Grassland Management Policy.

Accountability:

The responsibility for compliance with the policy lies with both BCPOS staff, particularly the Agricultural and Water Resources Division which administers and oversees lease agreements, and tenant farmers.

Review of the policy and program will focus on the achievement of outcomes set out in the policy.

Sustainability:

Sustainability is one of Boulder County's Guiding Values. The county defines sustainability as the "use, development and protection of resources in a way that enables Boulder County residents to meet their needs and maintain a high quality of life, without compromising the ability of future residents to do the same."

Boulder County values balancing a strong economy, protection of the environment and social equity and is committed to environmental, social, and economic sustainability and to building partnerships to help make the broader community more sustainable.

The Cropland Policy represents the practical application of sustainability to Boulder County Parks & Open Space agricultural properties, with a particular emphasis on considering long-term implications of agricultural management choices.

Cropland Policy Advisory Group:

The original Cropland Policy was developed in 2011 by an advisory group comprised of nine citizens representing a variety of agricultural and public stakeholder perspectives.

A list of revisions and links to both the history of the Cropland Policy and former versions of the Policy can be found in the Appendix.

Boulder County Parks & Open Space Cropland Policy

1. Program Priorities

Fundamental to the administration of the agricultural open space program is an understanding of the priorities and values that guide the program. The following principles set forth both statements of priorities and ways those will be applied by BCPOS.

General

- 1.1. Boulder County shall promote and encourage diversity in cropping systems, crops, and practices, to balance risks associated with factors beyond farmers' control, such as weather events, price fluctuations, federal price supports, etc.
- 1.2. Boulder County supports operators willing to explore and adopt new farming practices and new markets that embody the Department's and the community's long-term goals while also practicing sound management.
- 1.3. Boulder County supports self-sufficient and economically viable agricultural operations and recognizes they are essential to the overall viability of the agricultural program.
- 1.4. Boulder County shall administer a program to support and encourage small acreage farms on Boulder County Parks & Open Space land
- 1.5. Boulder County shall adopt Good Neighbor Guidelines. All agricultural tenants shall be provided, and comply with, the expectations of the Good Neighbor Guidelines.
- 1.6. Boulder County Parks & Open Space shall establish Good Neighbor Guidelines as a means to prevent and address concerns among tenants and between tenants and the larger Boulder County community. Boulder County shall share information on the policies for farming on Open Space and shall act as a communication hub for addressing agricultural management concerns on BCPOS properties of both tenants and the community.
- 1.7. Boulder County shall work with County Extension and other organizations to foster communication and coordination among growers to proactively address co-existence issues such as cross-pollination and chemical trespass.
- 1.8. Food safety regulations for producers on Boulder County cropland are enforced through governmental entities, which include but are not limited to: Boulder County Health Department, Colorado Department of Public Health and the Environment, and Federal regulators. Farmers must abide by these regulations.

Markets

- 1.9. Boulder County will prioritize the expansion of food crops on Open Space land for local markets.
- 1.10. Boulder County works with tenant farmers, resource providers, local businesses, and organizations to encourage development of necessary infrastructure and relationships to

Boulder County Parks & Open Space Cropland Policy

support existing markets and explore new markets for agricultural products produced on BCPOS properties.

- 1.11. Boulder County shall work with local and regional economic development, business and community organizations to integrate agricultural economic development into overall community and economic development strategies and to promote strategies to strengthen and expand existing farm and agri-businesses and attract activities complementary to agriculture to Boulder County.
- 1.12. Boulder County shall work collaboratively with farmers' markets and other marketing opportunities to support the use of open space products in providing local foods.
- 1.13. Boulder County supports the development of direct-to-market operations such as on-site sales and shall consider facilities and structures, subject to land use code, necessary for such operations as described in the Administrative Section of the Cropland Policy.

2. Program Administration

The success of the department's cropland agriculture program depends on a clear communication with BCPOS staff, current and prospective tenants, and the public about the manner in which the program is administered. The bid process and lease agreements are the foundation of the agriculture program and informed by the following set of guidelines.

General

- 2.1. Revenue obtained through the lease of agriculturally designated land should first be used to fund the Agricultural Resources Program and the capital and maintenance activities of the Program.

Bid Process and Lease Administration

- 2.2. Most leases shall be bid competitively and the selection criteria shall be publicly available. In some cases, properties are not competitively bid in order to respect a specific purchase agreement, or to recognize the efficiencies gained by combining adjacent parcels for improved land management including irrigation management.
- 2.3. Leases are negotiated based on a standard form at market rates, but reflect conditions at each property, the type of operation proposed, and the goals of sustainable agriculture as stated in the Cropland Policy.
- 2.4. Parks & Open Space uses both cash rent and crop share methods to tailor leases to the character of the land and the type of operation.
- 2.5. Leases are awarded to farmers who employ sustainable practices and who demonstrate a commitment to investing in innovative practices through education and skills development.
- 2.6. Boulder County supports creating lease terms that encourage tenant investment in infrastructure to enhance productivity.

Boulder County Parks & Open Space Cropland Policy

- 2.7. Boulder County Parks & Open Space supports farmer succession planning. Boulder County considers succession plans as one of many factors evaluated in the lease bid process.
- 2.8. Boulder County reviews economic viability of agricultural operations on BCPOS land when assessing lease bids. The Agricultural Resources Division shall work with tenant farmers to improve productivity when and where possible.
- 2.9. Boulder County recognizes the value of forage production to the local livestock industry and will prioritize forage production operations in the lease bid process for certain appropriate BCPOS agricultural properties
- 2.10. Lessees seeking USDA organic certification shall receive a 50% reduction in rent during the three-year transition period.
- 2.11. Lease applications and lease consideration shall be available to individuals, non-profits, or community groups who wish to lease an agricultural parcel for the purpose of rebuilding soil and ecosystem health of the parcel, transitioning the parcel to organic certification and production, or farming the parcel for public and community benefit.
- 2.12. Boulder County recognizes the importance of exploration and testing of farming practices by tenant farmers. Boulder County shall consider adjustments to property lease rates for prospective tenant bids that incorporate agricultural testing and experimentation. For property leases with adjusted lease rates due to agricultural testing and experimentation, Boulder County will provide the public with resulting raw data and reports. Formal research and biological inventories on BCPOS properties are possible through a permit process. Permit applications and research reports are available on the BCPOS website.
- 2.13. At the beginning or at the renewal of a lease, lease terms may be modified to protect natural resources. If during a lease term, measures, approved by Boulder County, to protect a natural resource impact the terms of the lease, Boulder County shall compensate for the losses at the tenants share of an average crop insurance claim.

3. Operations on Boulder County Parks & Open Space Agricultural Properties

Agricultural operations are complex enterprises combining science, art, business, and lifestyle. The following guidelines set expectations of communication and planning, and address property infrastructure and genetic technology.

General

- 3.1. Structures, facilities, and special uses for agricultural properties may be allowed, but must first be approved by POS, allowed under County Land Use Code, and not remove cropland from productive use. Such structures, facilities, and uses shall be of a scale such that they do not impact the predominate nature of Open Space as open land. POS approval shall consider neighborhood compatibility and other potential impacts.
- 3.2. Tenants shall operate in accordance with Soil and Water Conservation Plans approved by the Natural Resources Conservation Service.

Boulder County Parks & Open Space Cropland Policy

- 3.3. Tenants shall operate in accordance with operating plans developed in collaboration with Parks & Open Space.
- 3.4. Boulder County shall maintain relationships with partner agencies, organizations, and consultants that provide guidance to tenant farmers and facilitate communication between those organizations and tenant farmers. Boulder County shall encourage the exploration of a variety of practices to address management concerns.
- 3.5. Boulder County maintains current infrastructure and invests strategically in capital improvement projects to attract a larger pool of agricultural producers.

Genetically Engineered Crops

- 3.6. Boulder County will only allow the planting of GE crops on BCPOS cropland when the likely, demonstrable benefits from the planting of the GE crop will surpass the costs and credibly verified scientifically-documented risks associated with adoption of the GE technology.

Approval Process:

- 3.7. Boulder County shall only consider GE crop varieties approved for use in the United States by federal agencies.
- 3.8. There shall be a waiting period of at least three years between approval for use in the United States by federal agencies of a GE crop variety and that GE crop variety being approved for planting on BCPOS agricultural properties.
- 3.9. Application evaluations shall be made by POS staff in consultation with representatives from The University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant farmers, and other agricultural organizations.
- 3.10. Boulder County shall consider genetically engineered trait claims and specific potential impacts of a GE crop in assessing any application for the planting of a GE crop on BCPOS agricultural properties. Any or all of the following specific potential impacts are to be used in the evaluation. The specific potential impacts examined for each GE crop application shall be determined by alignment of the considered impact with the trait claim made by the manufacturer.
 - 3.10.1. Integrated Pest Management and Resistance Management: The GE technology shall be compatible with the BCPOS Strategic Integrated Pest Management Program.
 - 3.10.2. Pest Control: The GE cultivar shall allow farmers to significantly reduce the environmental impacts of pesticides through a shift to reduced-risk pesticides and/or a reduction in pesticide use on a per acre basis.
 - 3.10.3. Conservation: The GE technology shall be compatible with BCPOS Soil Health Program and the BCPOS Water Policy.

Boulder County Parks & Open Space Cropland Policy

- 3.10.4. Yield and Quality Management: The GE technology shall substantially increase crop yield, crop quality, and/or profitability compared to levels in Boulder County at the time of assessment.
- 3.10.5. Human Nutrition: The GE technology shall substantially enhance the nutritional quality and content of the harvested crop.
- 3.10.6. Allergens and Toxicity: The GE technology shall substantially reduce the levels of known or expected human allergens or toxins compared to standard varieties of the crop.

Use of BCPOS-Approved GE Crop Varieties:

- 3.11. The terms and restrictions imposed as a condition of planting BCPOS-approved GE crop should not abridge the ability of tenants to choose the crop varieties most suited to their agricultural operation, or otherwise limit management discretion.

GE Crop Planting and Use Protocol:

- 3.12. Boulder County shall develop a protocol for the use of each approved GE crop variety on BCPOS agricultural properties. Protocols must address the following:
- Gene Flow:** Practices to minimize opportunities for the genetic material of the GE crop variety to move into the local non- GE crop population.
 - Notification:** Notification of the public of the approval of the GE crop variety and communication with property neighbors.
 - Resistance management:** Practices to minimize the development of pesticide resistance for GE crop varieties with pesticide-related GE traits
 - GE Crop Monitoring:** Boulder County shall develop a monitoring program for each approved GE crop variety in cooperation with tenant farmers, CSU Extension, and other partner agencies. The monitoring program will track indicators associated with the expected benefits of the GE crop variety. The monitoring program will additionally document any adverse impacts of the GE crop variety.

Five Year Assessment:

- 3.13. Approval of any GE crop variety shall be granted for five years at a time. At the end of the five-year approval period Boulder County shall evaluate the data collected in the monitoring program. The evaluation of the GE crop variety will include assessments by BCPOS staff of the quality and consistency of the GE benefits and any adverse impacts. Approval of the GE crop variety can be granted for an additional five-year period if the assessment by Boulder County is favorable.

Currently Approved GE Crop Varieties:

Glyphosate-resistant crops are currently planted on BCPOS agricultural properties.

The glyphosate- resistant crops currently permitted on BCPOS agricultural properties are corn and sugar beets.

Protocols for the planting and use of glyphosate-resistant corn and sugar beets include a requirement for tenant farmers to annually rotate glyphosate-resistant varieties with non-glyphosate-resistant varieties.

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In the event that annual rotations are not possible, a two-year consecutive planting of glyphosate-resistant crop varieties must be followed by a two-year rotation of non-glyphosate-resistant crop varieties.

Bt corn is also approved for planting on BCPOS agricultural properties. Protocols for the planting and use of Bt corn include pesticide resistance management.

If in the future Boulder County approves any glyphosate-resistant wheat variety, it shall not be allowed to be planted in a rotation with other glyphosate-resistant crop varieties.

4. Management and Programs

BCPOS prioritizes sustainable management of open space properties. To that end, programs are developed to be resources for tenant farmers and to ensure that management aligns with community goals and values. The following policies establish two major programs, Strategic Integrated Pest Management and Soil Health Initiative, as the foundation for addressing long-term conservation concerns. The management of livestock on cropland acres, prairies dogs, and organic production are also included in this section.

Strategic Integrated Pest Management

- 4.1. Boulder County recognizes the importance of pest management to viable agricultural operations.
- 4.2. Boulder County shall develop a Strategic Integrated Pest Management Program for use on BCPOS Agricultural properties incorporating the principles of Integrated Pest Management. The Integrated Pest Management Program will be Strategic by incorporating a long-term, multi-year approach to pest management decisions and by providing recommendations for site-specific practices on leased BCPOS agricultural properties.
- 4.3. Boulder County shall work collaboratively with producers, technical advisors and researchers to determine the best and most effective tools for managing pests on Open Space Agricultural properties.
- 4.4. Boulder County recognizes that Strategic Integrated Pest Management principles include the use of diverse methods of pest control and minimizing the application of pesticides. Pesticide use on BCPOS agricultural properties by tenant farmers is to be kept to the minimum necessary for effective pest control and in compliance with the Strategic Integrated Pest Management Program. Boulder County shall implement monitoring programs to track pesticide usage on BCPOS Agricultural properties.
- 4.5. Any pesticide application on Open Space Agricultural Lands shall be completed in compliance with the Agricultural Division's application protocols.
- 4.6. Signage shall be posted on any fee-owned county properties along trails where pesticide spraying will take place adjacent to trails. Signage will be posted prior to pesticide spraying. The signage will include the spray date (or range of dates), type of pesticide being sprayed, and trail closures if necessary.

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- 4.7. Boulder County allows tenants of BCPOS agricultural properties to use any legal method of pest control that is in compliance with the Strategic Integrated Pest Management Program and other Boulder County regulations and policies. Boulder County Parks & Open Space reserves the right to restrict specific pesticides and/or application practices
- 4.8. **Written to align with BOCC direction:** The use of neonicotinoid pesticides on BCPOS agricultural properties is restricted to tenant farmers who operate under a Shareholder Agreement with Western Sugar Cooperative as of January 1, 2021. These tenant farmers are allowed to plant sugar beet seed with neonicotinoid seed coatings. Approval from Boulder County for any other neonicotinoid pesticide use on BCPOS agricultural properties will only be granted on a case-by-case basis and under exceptional conditions such as extreme pest pressure or when other pesticides would be ineffective or have a disproportional environmental impact relative to neonicotinoid pesticides.
- 4.9. Agricultural tenants shall be provided, and comply, with clear expectations of Strategic Integrated Pest Management goals.

Soil Health Initiative

- 4.10. **Written to align with BOCC direction:** Boulder County recognizes the value and function of soil ecosystem services to both agricultural production and the local and global environment. Boulder County shall develop a soil health program for use on BCPOS Agricultural properties incorporating the principles of soil health and providing recommendations for site-specific practices on leased BCPOS agricultural properties.
- 4.11. Boulder County prioritizes the arrest and reversal of soil degradation and the improvement of soil quality on BCPOS agricultural properties. Boulder County shall implement monitoring programs to track soil quality indicators. Data resulting from the monitoring programs shall be made available when requested.
- 4.12. Boulder County shall encourage the exploration of a variety of practices by BCPOS tenants to address soil fertility concerns.
- 4.13. Boulder County shall assure compliance with all Federal, State and local health department requirements, as well as implement all Parks & Open Space requirements for the use of biosolids on Boulder County lands.

Livestock management

- 4.14. Livestock operations are permitted on properties suitable for livestock.
- 4.15. Livestock operations are recognized as a valuable tool in management programs such as Strategic Integrated Pest Management and Soil Health. Livestock operations shall be encouraged both as a rotational phase in diversified operations and as a primary agricultural operation on appropriate BCPOS agricultural properties.
- 4.16. Boulder County shall collaborate with tenants, federal, state, and local agencies, and others to develop physical infrastructure to support viable livestock operations on BCPOS agricultural properties.

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- 4.17. Animal Feeding Operations (AFOs)[*add link to federal or state definition*] are permitted on Parks & Open Space property on agricultural properties only with specific permission.
- 4.18. Animal Feeding Operations (AFOs) shall be sited according to federal, state and, county laws, in appropriate areas with consideration given for appropriate buffers for natural resources and neighbors.
- 4.19. AFOs shall employ Best Management Practices for manure management to maximize the use and preservation of manure nutrients in local crop production and shall minimize the release of environmental air and water emissions.

Prairie Dogs

- 4.20. All BCPOS cropland shall be defined as a No Prairie Dog Area as outlined in the Prairie Dog Element of the Grassland Management Policy.
- 4.21. Boulder County shall prioritize preventing prairie dog encroachment onto BCPOS cropland. Lethal control of prairie dogs will be in accordance with the Prairie Dog Element of the Grassland Management Plan.
- 4.22. After training and with approval from Parks & Open Space, lease-holders may perform lethal control of prairie dogs on their leased cropland.

Organic Production

- 4.23. Boulder County shall prioritize opportunities for organic operations on POS land and continue expansion of certified organic agriculture on Open Space land with the goal of maintaining a growth rate in acres leased for organic agriculture that meets or exceeds the national growth rate of organic acres in each year, if market forces allow. Boulder County will work with producers, the natural foods industry, and other stakeholders to explore and expand market opportunities.

5. Education and Outreach

Sustainability of agricultural open space is not limited to agricultural management. Communication with the public allows for a greater understanding of local food systems and connects the community to the landscape and to those who produce the food, fuel, and fiber they encounter every day.

The Vision of the Agricultural and Water Resources Division is “Thriving agricultural lands for generations to come.” Part of ensuring the long-term viability of local agriculture is stewarding not just the land but the people who will care for it.

General

- 5.1. Staff shall develop methods for creating public awareness of the role of public open space in crop and local food production.

Boulder County Parks & Open Space Cropland Policy

- 5.2. Boulder County Parks & Open Space shall develop educational material demonstrating the value and importance of livestock and grazing for the agricultural economy of Boulder County and as a cropland management tool.
- 5.3. Boulder County works with a variety of organizations including CSU Extension to support educational programs that promote farming as a career, enrich farming practices, and encourage engagement with farmers.

Generations to Come

- 5.4. Boulder County recognizes the importance of developing farmers interested in many different forms of farming. Boulder County shall continue to support beginning farmers through youth in agriculture programs, working with Boulder County Extension, and providing competitive lease rates. Boulder County shall develop programs to foster the development of beginning farmers on Boulder County Open Space.
- 5.5. Boulder County shall develop and maintain a program to help beginning farmers to develop skills and practices while sharing land management responsibilities with other farmers.

6. Associated Resource Values

Agriculture intersects with a diverse array of activities and resources. The following guidelines set expectations for the interaction of BCPOS agricultural properties and tenants with commonly encountered situations.

Water

- 6.1. Boulder County shall fully use county-owned water in an effective and efficient manner. BCPOS and tenant farmers will review and abide by the BCPOS Water Policy [[link to Water Policy](#)]

Cultural Resources

- 6.2. Standard operating procedures shall be developed to protect cultural resources on cropland.

Recreation

- 6.3. Trails shall be developed on agricultural land only with appropriate considerations for agricultural value. Trails shall be:
 - 6.3.1. Designed to minimize loss of cropland, irrigation interference, and impact on agricultural operations.
 - 6.3.2. Sited to reduce the possibility of weed transfer to ditches or fields.
 - 6.3.3. Closed to the public if/when pesticide application is in progress.

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Natural Resources

- 6.4. Boulder County and its agricultural tenants shall abide by all federal and state laws governing wetlands, wildlife, and plant species.
- 6.5. The County Comprehensive Plan Critical Wildlife habitats shall be considered a priority for protection when leases and agricultural operating plans are developed.
- 6.6. For any wildlife designated as State Threatened or Species of County or State Concern, POS staff shall work with tenants to develop best management practices and site-specific plans to manage them.
- 6.7. If a new occurrence of a protected species occurs on POS land, no additional disturbance within the recommended US Fish and Wildlife Service (USFWS) or Colorado Department of Parks and Wildlife (CDPW) buffer shall occur. Existing operations can continue except where prohibited by these agencies.
- 6.8. To the extent possible, Boulder County POS shall preserve wildlife corridors through agricultural land:
 - 6.8.1 Highest priority corridors to preserve are natural streams – POS shall develop BMPs and appropriate site specific, buffers to protect these areas.
 - 6.8.2 Ditches often serve as corridors and to the extent possible, these riparian-like habitats shall be maintained.
- 6.9. Boulder County shall preserve wetlands and Comprehensive Plan designated Critical Wildlife Habitat by developing site specific best management practices and buffers to protect these areas.
- 6.10. Where feasible, Boulder County shall enhance wildlife habitat on agricultural properties (drainages, grassed waterways, corners of pivot systems, and non-productive land).
- 6.11. Boulder County recognizes the importance of pollinators to agricultural production and functional ecosystems. Boulder County shall encourage cooperation and facilitate dialog among tenant farmers and other parties interested in the conservation of pollinator populations. Boulder County shall consider the impacts on pollinator populations in the design of a Strategic Integrated Pest Management program.

Appendix

[list of Revisions and dates BOCC and POSAC approved each with links to former versions of the policy]

2012 -> 2021 Cropland Policy Update Guide

Here you can find the original Policy language on the left.

On the right are any revisions to the original language and the updated Section number.

Original Policy Number	Original Policy Language	New Location	New Language
1.1	Most leases shall be bid competitively and the selection criteria shall be publicly available. In some cases properties are not competitively bid in order to respect a specific purchase agreement, or to recognize the efficiencies gained by combining adjacent parcels for improved land management including irrigation management.	Bid Process and Lease Administration 2.2	No change
1.2	Leases are negotiated based on a standard form at market rates, but reflect conditions at each property, the type of operation proposed, and the goals of sustainable agriculture as stated in the Cropland Policy.	Program Administration: Bid Process and Lease Administration 2.3	No change
1.3	Parks and Open Space uses both cash rent and crop share methods to tailor leases to the character of the land and the type of operation.	Program Administration: Bid Process and Lease Administration 2.4	No change
1.4	Leases are awarded to farmers who employ sustainable practices and who demonstrate a commitment to investing in innovative practices through education and skills development.	Program Administration: Bid Process and Lease Administration 2.5	No change
1.5	Boulder County recognizes the importance of developing	Education and Outreach:	No change

Original Policy Number	Original Policy Language	New Location	New Language
	farmers interested in many different forms of farming. Boulder County shall continue to support beginning farmers through youth in agriculture programs, working with Boulder County Extension, and providing competitive lease rates. Boulder County shall develop programs to foster the development of beginning farmers on Boulder County Open Space.	Generations to Come 5.4	
1.6	Revenue obtained through the lease of agriculturally designated land should first be used to fund the Agricultural Resources Program and the capital and maintenance activities of the Program.	Program Administration: General 2.1	No change
1.7	Lessees seeking USDA organic certification shall receive a 50% reduction in rent during the three-year transition period.	Program Administration: Bid Process and Lease Admin 2.10	No change
1.8	Boulder County shall prioritize opportunities for organic operations on POS land and continue expansion of certified organic agriculture on Open Space land with the goal of maintaining a growth rate in acres leased for organic agriculture that meets or exceeds the national growth rate of organic acres in each year, with the goal of reaching or exceeding 20% of cropland certified organic or in transition by 2020, if market forces allow. Boulder County will work with producers, the natural foods industry, and other	Management and Programs: Organic Production 4.23	<i>Boulder County shall prioritize opportunities for organic operations on POS land and continue expansion of certified organic agriculture on Open Space land with the goal of maintaining a growth rate in acres leased for organic agriculture that meets or exceeds the national growth rate of organic acres in each year, if market forces allow. Boulder County will work with producers, the natural foods industry, and other stakeholders to explore and expand market opportunities.</i>

Original Policy Number	Original Policy Language	New Location	New Language
	stakeholders to explore and expand market opportunities.		
1.9	Staff shall develop methods for creating public awareness of the role of public open space in crop and local food production.	Education and Outreach 5.1	No change
1.10	Boulder County will prioritize the expansion of food crops on Open Space land for local markets.	Program Priorities: Markets 1.9	No change
1.11	Standard operating procedures shall be developed to protect cultural resources on cropland.	Associated Resource Values: Cultural Resources 6.2	No change
1.12	Structures, facilities, and special uses for agricultural properties may be allowed, but must first be approved by POS, allowed under County Land Use Code, and not remove cropland from productive use. Such structures, facilities, and uses shall be of a scale such that they do not impact the predominate nature of Open Space as open land. POS approval shall consider neighborhood compatibility and other potential impacts.	Operations on BCOPS Ag Properties: General 3.1	No change
1.13	Boulder County shall adopt a Good Neighbor Policy. All agricultural tenants shall be provided, and comply with, the expectations of the Good Neighbor Policy.	Program Priorities: General 1.5	<i>Boulder County shall adopt Good Neighbor Guidelines. All agricultural tenants shall be provided, and comply with, the expectations of the Good Neighbor Guidelines.</i>
1.14	Boulder County Parks and Open Space shall establish the Good Neighbor Policy to assist farmers of Open Space properties in resolving conflicts arising from common practices and practices specific to a lessee's operations. Boulder County shall provide a venue for	Program Priorities: General 1.6	<i>Boulder County Parks and Open Space shall establish Good Neighbor Guidelines as a means to prevent and address concerns among tenants and between tenants and the larger Boulder County community.</i> <i>Boulder County shall share information on the policies for farming on Open Space and shall act as a communication hub for addressing agricultural</i>

Original Policy Number	Original Policy Language	New Location	New Language
	sharing information on the standards and policies for farming on Open Space and provide a method and venue for mediating disputes arising out of the interaction among farms and with residential areas. A draft Good Neighbor Policy as discussed and approved by the Cropland Policy Advisory Group can be found in the Appendix 5: Boulder County POS Good Neighbor Policy.		<i>management concerns on BCPOS properties of both tenants and the community.</i>
1.15	Lease applications and lease consideration shall be available to individuals, non-profits, or community groups who wish to lease an agricultural parcel for the purpose of rebuilding soil and ecosystem health of the parcel, transitioning the parcel to organic certification and production, or farming the parcel for public and community benefit.	Program Administration: Bid Process and Lease Admin 2.11	No change
1.16	Boulder County Parks and Open Space supports farmer succession planning. Boulder County considers succession plans as one of many factors evaluated in the lease bid process.	Program Administration: Bid Process and Lease Admin 2.7	No change
1.17	Food safety regulations for producers on Boulder County cropland are enforced through governmental entities, which include but are not limited to: Boulder County Health Department, Colorado Department of Public Health and the Environment, and Federal regulators. Farmers must abide by these regulations.	Program Priorities: General 1.8	No change

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2.1	Boulder County shall administer a program to support and encourage small acreage farms on Boulder County Parks and Open Space land.	Program Priorities: General 1.4	No change
2.2	Boulder County shall develop and maintain a Growers' Association program to help beginning farmers to develop skills and practices while sharing land management responsibilities with other farmers.	Education and Outreach: Generations to Come 5.5	<i>Boulder County shall develop and maintain a program to help beginning farmers to develop skill and practices while sharing land management responsibilities with other farmers.</i>
2.3	Boulder County supports the development of direct-to-market operations such as on-site sales and shall consider facilities and structures, subject to land use code, necessary for such operations as described in the Administrative Section of the Cropland Policy.	Program Priorities: Markets 1.13	No change
2.4	Boulder County shall work collaboratively with farmers' markets and other marketing opportunities to support the use of open space products in providing local foods.	Program Priorities – Markets 1.12	No change
2.5	Boulder County shall work with County Extension and other organizations to foster communication and coordination among growers to proactively address co-existence issues such as cross-pollination and chemical trespass.	Program Priorities: General 1.7	No change

Original Policy Number	Original Policy Language	New Location	New Language
3.1 – 3.11	Water Policy summaries	Associated Resource Values: Water 6.1	<p><i>Boulder County shall fully use county-owned water in an effective and efficient manner. BCPOS and tenant farmers will review and abide by the BCPO. Water Policy [link to Water Policy]</i></p> <p>link to Water Policy in order to maintain coherence with future updates of both Policies.</p>
4.1	Tenants shall operate in accordance with Soil and Water Conservation Plans approved by the Natural Resources Conservation Service.	Operations on BCOPS Ag Properties: General 3.2	No change
4.2	Tenants shall operate in accordance with operating plans developed in collaboration with Parks and Open Space.	Operations on BCOPS Ag Properties: General 3.3	No change
4.3	Boulder County shall maintain relationships with partner agencies, organizations, and consultants that provide guidance to farmers; provide access to these agencies, organizations, and consultants; and encourage farmers to seek innovative solutions to sustainable practice and soil healthy/quality issues.	Operations on BCOPS Ag Properties: General 3.4	<p><i>Boulder County shall maintain relationships with partner agencies, organizations, and consultants that provide guidance to tenant farmers and facilitate communication between those organizations and tenant farmers</i></p> <p><i>Boulder County shall encourage the exploration of a variety of practices to address management concerns.</i></p>
4.4	(Water Policy 2e.) Boulder County shall work collaboratively with other agencies to protect the quality of irrigation waters entering and leaving Boulder County properties.	Associated Resource Values: Water 6.1	<p>Removed. Link to Water Policy provided.</p>
4.5	(Water Policy 7 b.) Boulder County shall meet or exceed local, state, and federal water laws and regulations.	Associated Resource Values: Water 6.1	<p>Removed. Link to Water Policy provided.</p>

Original Policy Number	Original Policy Language	New Location	New Language
4.6	(Water Policy 7b.iii.) Boulder County shall be informed of, identify, summarize, and comply with relevant water quality regulations and laws pertaining to Boulder County activities.	Associated Resource Values: Water 6.1	Removed. Link to Water Policy provided.
4.7	Boulder County shall require best management practices with respect to soil health and quality (Appendix 6: Soil Health and Quality). These practices may include but are not limited to: <ul style="list-style-type: none"> • Conservation tillage • Soil amendments • Cover crops • Residue management • Crop Rotation • Rotational Grazing 	Management and Programs: Soil Health 4.10	Re-written to align with BOCC direction: <i>Boulder County recognizes the value and function of soil ecosystem services to both agricultural production and the local and global environment.</i> <i>Boulder County shall develop a soil health program for use on BCPOS Agricultural properties incorporating the principles of soil health and providing recommendations for site-specific practices on leased BCPOS agricultural properties.</i>
4.8	Boulder County shall implement monitoring regimes to ensure that practices and policies are stabilizing and improving soil health and quality.	Management and Programs: Soil Health 4.11	<i>Boulder County prioritizes the arrest and reversal of soil degradation and the improvement of soil quality on BCPOS agricultural properties.</i> <i>Boulder County shall implement monitoring programs to track soil quality indicators. Data resulting from the monitoring programs shall be made available when requested.</i>
4.9	Boulder County shall encourage experimental farming practices and adoption of these practices where and when appropriate. Boulder County shall collect and disseminate data on experimentation. Such lands shall be administered as a part of a lease to an existing farmer tenant or as a special lease for the purpose of RD&D and may include crop sharing or flat rentals as with other leases, or incentive leases to stimulate RD&D. BCPOS shall be a repository of all such RD&D reports and shall make the	Program Administration: Bid Process and Lease Admin 2.12	<i>Boulder County recognizes the importance of exploration and testing of farming practices by tenant farmers.</i> <i>Boulder County shall consider adjustments to property lease rates for prospective tenant bids that incorporate agricultural testing and experimentation.</i> <i>For property leases with adjusted lease rates due to agricultural testing and experimentation, Boulder County will provide the public with resulting raw data and reports.</i> <i>Formal research and biological inventories on BCPOS properties are possible through a permit process. Permit applications and research reports are available on the BCPOS website.</i>

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	reports and raw data readily available two years after the completion of the project.		
4.10	Boulder County gathers and maintains, and makes available if requested data concerning the key indicators of soil health.	Management and Programs: Soil Health 4.11	Incorporated into original policy 4.8.
5.1	Boulder County supports self-sufficient and economically viable agricultural operations and recognizes they are essential to the overall viability of the agricultural program.	Program Priorities: General 1.3	No change
5.2	Boulder County shall promote and encourage diversity in cropping systems, crops, and practices, to balance risks associated with factors beyond farmers' control, such as weather events, price fluctuations, federal price supports, etc.	Program Priorities: General 1.1	No change
5.3	Boulder County supports operators willing to explore and adopt new farming practices and new markets that embody the Department's and the community's long term goals while also practicing sound management.	Program Priorities: General 1.2	No change
5.4	Boulder County shall work with local and regional economic development, business and community organizations to integrate agricultural economic development into overall community and economic development strategies and to promote strategies to strengthen and expand existing farm and agri-businesses and attract activities complementary	Program Priorities: Markets 1.11	No change

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	to agriculture to Boulder County.		
5.5	Boulder County works with farmers, resource providers, local businesses, and organizations to encourage development of necessary infrastructure and relationships to support existing markets and explore new markets.	Program Priorities: Markets 1.10	<i>Boulder County works with tenant farmers, resource providers, local businesses, and organizations to encourage development of necessary infrastructure and relationships to support existing markets and explore new markets for agricultural products produced on BCPOS properties.</i>
5.6	Boulder County works with a variety of organizations including CSU Extension to support educational programs that promote farming as a career, enrich farming practices, and encourage engagement with farmers.	Education and Outreach: General 5.3	No change
5.7	Boulder County maintains current infrastructure and invests strategically in capital improvement projects to attract a larger pool of agricultural producers.	Operations on BCPOS Ag Properties: General 3.5	No change
5.8	Boulder County supports creating lease terms that encourage tenant investment in infrastructure to enhance productivity.	Program Administration: Bid Process and Lease Admin 2.6	No change
5.9	Boulder County reviews economic viability of agricultural operations on Boulder County Parks and Open Space land. The Agricultural Resources Division shall work with farmers to improve productivity when and where possible.	Program Administration: Bid Process and Lease Admin 2.8	<i>Boulder County reviews economic viability of agricultural operations on BCPOS land when assessing lease bids. The Agricultural Resources Division shall work with tenant farmers to improve productivity when and where possible.</i>
6.1	Crops have been selectively bred and manipulated for thousands of years.	Operations on BCPOS Ag Properties:	<i>Genetically Engineered (GE) Crops on BCPOS Agricultural Properties:</i>

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	<p>With the advent of new technologies, corporations and universities are using advanced techniques for inserting and altering genetic codes to create commercially viable plants that address continued issues in agriculture such as pest control and drought tolerance.</p> <p>Controversies have sprung up around the techniques, practices, and consequences of this technology.</p> <p>However, commercially available seeds and treatments are reviewed, tested, and approved by the Environmental Protection Agency, the U.S. Department of Agriculture, and the Food and Drug Administration.</p> <p>Boulder County Parks and Open Space believes that sustainable agriculture for Boulder County must be founded upon the idea of long term viability.</p> <p>In light of ongoing controversy over the public health, environmental, and socio-economic impacts of genetically engineered (GE) crops, Boulder County will, in general, only allow the planting of GE crops on County Open Space cropland when the likely, demonstrable benefits from the planting of a federally-approved GE crop will surpass the known and potential risks associated with adoption of the GE technology.</p>	<p>Genetically Engineered Crops 3.6</p>	<p><i>Boulder County will only allow the planting of GE crops on BCPOS cropland when the likely, demonstrable benefits from the planting of the GE crop will surpass the costs and credibly verified scientifically-documented risks associated with adoption of the GE technology.</i></p> <p><i>Approval Process:</i></p>
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Original Policy Number	Original Policy Language	New Location	New Language
	<p>Boulder County shall consider the following potential impacts of a GE crop, as well as specific trait claims, in making its determination regarding whether the expected benefits exceed the costs and credibly verified scientifically-documented risks associated with planting the GE crop.</p> <p>Proposals shall be evaluated based on the applicable criteria that best relate to the specific trait claim made by the manufacturer.</p> <p>Decisions shall be made by POS staff in conjunction with appropriate representatives from The University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant representatives, and other agricultural organizations.</p>	<p>Operations on BCPOS Ag Properties: Genetically Engineered Crops 3.7 – 3.10</p>	<p><i>Boulder County shall only consider GE crop varieties approved for use in the United States by federal agencies.</i></p> <p><i>There shall be a waiting period of at least three years between approval for use in the United States by federal agencies of a GE crop variety and that a GE crop variety being approved for planting on BCPO agricultural properties.</i></p> <p><i>Application evaluations shall be made by POS staff in consultation with representatives from The University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant farmers, and other agricultural organizations.</i></p> <p><i>Boulder County shall consider genetically engineered trait claims and specific potential impacts of a GE crop in assessing any application for the planting of a GE crop on BCPOS agricultural properties.</i></p> <p><i>Any or all of the following specific potential impacts are to be used in the evaluation. The specific potential impacts examined for each GE crop application shall be determined by alignment of the considered impact with the trait claim made by the manufacturer.</i></p>
6.1.1	<p>Integrated Pest Management and Resistance Management: The GE technology shall be compatible with the core principles of Integrated Pest Management, which include an emphasis on pest prevention, diversification in the tools used to control pests, avoiding excessive reliance on any single tool, and attacking pests at their most vulnerable points in their lifecycle.</p>	<p>Operations on BCPOS Ag Properties: Genetically Engineered Crops 3.10.1</p>	<ul style="list-style-type: none"> • Integrated Pest Management and Resistance Management: <i>The GE technology shall be compatible with the BCPOS Strategic Integrated Pest Management Program.</i>
6.1.2	<p>Pesticide Resistance: The GE cultivar shall allow farmers to significantly reduce the impacts</p>	<p>Operations on BCPOS Ag Properties:</p>	<ul style="list-style-type: none"> • Pest Control: <i>The GE cultivar shall allow farmers to significantly reduce the environmental impacts of pesticides</i>

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	of pesticides on non-target organisms and people, water and soil quality, or biodiversity either through a shift to reduced-risk pesticides or a reduction in pesticide use on a per acre basis (or both).	Genetically Engineered Crops 3.10.2	<i>through a shift to reduced-risk pesticides and/or a reduction in pesticide use on a per acre basis.</i>
6.1.3	Conservation: The GE technology shall be compatible with core principles of Best Management Practices promoting soil conservation, water quality and water conservation.	Operations on BCPOS Ag Properties: Genetically Engineered Crops 3.10.3	<ul style="list-style-type: none"> • Conservation: <i>The GE technology shall be compatible with BCPO, Soil Health Program and the BCPOS Water Policy.</i>
6.1.4	Yield and Quality Management: The GE technology shall substantially increase crop yield or crop quality, and/or profitability compared to best available genetics and production systems for the area.	Operations on BCPOS Ag Properties: Genetically Engineered Crops 3.10.4	<ul style="list-style-type: none"> • Yield and Quality Management: <i>The GE technology shall substantially increase crop yield, crop quality, and/or profitability compared to levels in Boulder County at the time of assessment.</i>
6.1.5	Human Nutrition: The novel traits in the GE crop substantially enhance the nutritional quality and content of the harvested crop, so that any finished product containing the crop or ingredient qualify for FDA labeling requirements of “High,” Rich in,” or “Provides.” (Current FDA regulations specify 20% or more.)	Operations on BCPOS Ag Properties: Genetically Engineered Crops 3.10.5	<ul style="list-style-type: none"> • Human Nutrition: <i>The GE technology shall substantially enhance the nutritional quality and content of the harvested crop.</i>
6.1.6	Allergens and Toxicity: The engineered crop substantially reduces the levels of known or expected human allergens or toxins, and the label associated with the crop, or foods containing the crop, identifies the allergen whose levels have been reduced, the degree of reduction, and states that the crop was genetically engineered.	Operations on BCPOS Ag Properties: Genetically Engineered Crops 3.10.6	<ul style="list-style-type: none"> • Allergens and Toxicity: <i>The GE technology shall substantially reduce the levels of known or expected human allergens or toxins compared to standard varieties of the crop.</i>

Original Policy Number	Original Policy Language	New Location	New Language
6.1 (continued)	<p>The terms and restrictions imposed as a condition of planting the GE crop should not abridge the ability of tenants to choose the GE and conventional crop genetics most suited to their farm, or otherwise limit management discretion.</p> <p>Approval of any GE crop shall be granted for five years at a time.</p> <p>For all GE crops approved for use, Boulder County shall develop a monitoring system in cooperation with farmers, CSU and other partner agencies to determine whether the GE technology is consistently delivering the anticipated and claimed benefits and whether any unanticipated adverse impacts have occurred.</p> <p>Any approval of genetically engineered crops or organisms on Boulder County Open Space land must address gene flow, notification, and resistance management.</p> <p>Genetically engineered crops must be approved for use by the Federal government and shall not be approved for planting on Open Space land for a minimum of three years after approval for use by the Federal government.</p> <p>This will allow experts and policy-makers to assess possible impacts.</p> <p>Gene Flow: Protocols surrounding gene flow are</p>	<p>Operations on BCPOS Ag Properties: Genetically Engineered Crops 3.11</p> <p>Operations on BCPOS Ag Properties: Genetically Engineered Crops 3.13</p> <p>Operations on BCPOS Ag Properties: Genetically Engineered Crops 3.12</p>	<p>Use of BCPOS-Approved GE Crop Varieties: <i>The terms and restrictions imposed as a condition of planting BCPOS-approved GE crop should not abridge the ability of tenants to choose the crop varieties most suited to their agricultural operation, or otherwise limit management discretion.</i></p> <p>GE Crop Planting and Use Protocol: <i>Boulder County shall develop a protocol for the use of each approved GE crop variety on BCPOS agricultural properties.</i></p> <p><i>Protocols must address the following:</i></p> <ul style="list-style-type: none"> • Gene Flow: <i>Practices to minimize opportunities for the genetic material of the GE crop variety to move into the local non- GE crop population.</i> • Notification <i>Notification of the public of the approval of the GE crop variety and communication with property neighbors.</i> • Resistance management <i>Practices to minimize the development of pesticide resistance for GE crop varieties with pesticide-related GE traits.</i> <p>GE Crop Monitoring: <i>Boulder County shall develop a monitoring program for each approved GE crop variety in cooperation with tenant farmers, CSU Extension, and other partner agencies.</i></p> <p><i>The monitoring program will track indicators associated with the expected benefits of the GE crop variety.</i></p>

Original Policy Number	Original Policy Language	New Location	New Language
	<p>instituted in order to minimize opportunities for the intermingling of GE and non-GE genetics.</p> <p>Procedures will vary based on how the organism under consideration reproduces.</p> <p>Common practices with respect to plants currently approved by the USDA include removing bolts and planting non-GE buffers.</p> <p>If the Department approves a particular genetically engineered organism for Open Space properties, protocols for minimizing gene flow must be included.</p> <p>Notification is currently part of the protocols for genetically engineered corn planted on Open Space. As with gene flow, protocols for proposed genetically engineered organisms will vary.</p> <p>Notification protocols shall protect neighbors from the possibility of gene flow and encourage communication to help with resistance management.</p> <p>Resistance management addresses concerns regarding the development of pests resistant to pesticides. Resistance can be managed in a number of ways and protocols may call for additional resistance management techniques.</p>		<p><i>The monitoring program will additionally document any adverse impacts of the GE crop variety.</i></p> <p>Five Year Assessment: <i>Approval of any GE crop variety shall be granted for five years at a time.</i></p> <p><i>At the end of the five-year approval period Boulder County shall evaluate the data collected in the monitoring program.</i> <i>The evaluation of the GE crop variety will include assessments of the quality and consistency of the benefits and any adverse impacts.</i></p> <p><i>Approval of the GE crop variety can be granted for an additional five-year period if the assessment by Boulder County is favorable.</i></p>

Original Policy Number	Original Policy Language	New Location	New Language
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	<p>To prevent development of weed resistance to glyphosate, BCPOS growers are required to rotate to a non-Roundup Ready cropping system in the year following a Roundup Ready crop.</p> <p>If this is not possible and Roundup Ready cropping is done in two consecutive years then a field must stay out of Roundup Ready cropping system for two years before returning to a Roundup Ready crop.</p> <p>Resistance management protocols will also be required for Bt corn. Boulder County reserves the right to require best management practices as indicated by BT resistance management studies.</p> <p>Glyphosate-resistant crops are currently planted on Boulder County Parks and Open Space leased land.</p> <p>With protocols approved by staff, the glyphosate resistant crops permitted on BCPOS land shall be corn and sugarbeets. Glyphosate resistant alfalfa will not be permitted.</p> <p>If glyphosate resistant wheat becomes available, it may be considered for approval by staff based on the criteria in this policy.</p> <p>However, if approved for use it can only be planted in fields where no other glyphosate</p>		<p>Currently Approved GE Crop Varieties: <i>The glyphosate- resistant crops currently permitted on BCPOS agricultural properties are corn and sugar beets.</i></p> <p><i>Glyphosate resistant alfalfa will not be permitted.</i></p> <p><i>Protocols for the planting and use of glyphosate-resistant corn and sugar beets include a requirement for tenant farmers to annually rotate glyphosate-resistant varieties with non-glyphosate resistant varieties.</i></p> <p><i>In the event that annual rotations are not possible a two-year consecutive planting of glyphosate-resistant crop varieties must be followed by a two-year rotation of non-glyphosate-resistant crop varieties.</i></p> <p><i>Bt corn is also approved for planting on BCPOS agricultural properties.</i></p> <p><i>Protocols for the planting and use of Bt corn include pesticide resistance management.</i></p> <p><i>If in the future Boulder County approves any glyphosate-resistant wheat variety it shall not be allowed to be planted in a rotation with other glyphosate-resistant crop varieties.</i></p>
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Attachment: Cropland Policy Memo Packet for POSAC 18 November 2021 (7583 : Review of Proposed Cropland Policy Amendments)

Original Policy Number	Original Policy Language	New Location	New Language
	resistant crops are planted in rotation.		
6.2.1	<p>Sustainable pest management is recognized as an integral part of agriculture operations.</p> <p>Boulder County supports the safe and controlled management of pests on Boulder County Property to protect the environment, neighbors and users.</p>	Management and Programs: SIPM 4.1	<p><i>Boulder County recognizes the importance of pest management to viable agricultural operations.</i></p> <p>(second portion incorporated into original policy 6.2.2)</p>
6.2.2	Boulder County shall manage pests through a Strategic Integrated Pest Management Program that protects the environment, neighbors, and users	Management and Programs: SIPM 4.2	<p><i>Boulder County shall develop a Strategic Integrated Pest Management Program for use on BCPOS Agricultural properties incorporating the principles of Integrated Pest Management.</i></p> <p><i>The Integrated Pest Management Program will be Strategic by incorporating a long-term, multi-year approach to pest management decisions and by providing recommendations for site-specific practices on leased BCPOS agricultural properties</i></p>
6.2.3	<p>Boulder County Ag tenants shall use any legal method for pest control allowed under State and Federal Law and in compliance with Boulder County Strategic IPM Guidelines.</p> <p>Boulder County Parks and Open Space reserves the right to restrict specific pesticides and/or application practices.</p> <p>Boulder County Ag tenants shall reduce pesticide usage over time with the goal of minimizing the use, volume, and toxicity of these pesticides.</p>	Management and Programs: SIPM 4.7	<p><i>Boulder County allows tenants of BCPOS agricultural properties to use any legal method of pest control that is in compliance with the Strategic Integrated Pest Management Program and other Boulder County regulations and policies.</i></p> <p><i>Boulder County Parks and Open Space reserves the right to restrict specific pesticides and/or application practices.</i></p> <p>(final portion incorporated into original policy 6.2.7)</p>
NEW		Management and Programs: SIPM	Added to align with BOCC direction:

Original Policy Number	Original Policy Language	New Location	New Language
		4.8	<p><i>The use of neonicotinoid pesticides on BCPOS agricultural properties is restricted to tenant farmers who operate under a Shareholder Agreement with Western Sugar Cooperative as of January 1, 2021. These tenant farmers are allowed to plant sugar beet seed with neonicotinoid seed coatings.</i></p> <p><i>Approval from Boulder County for any other neonicotinoid pesticide use on BCPOS agricultural properties will only be granted on a case-by-case basis and under exceptional conditions such as extreme pest pressure or when other pesticides would be ineffective or have a disproportional environmental impact relative to neonicotinoid pesticides.</i></p>
6.2.4	Any pesticide application on Open Space Agricultural Lands shall be completed in compliance with the Agricultural Division's application protocols.	Management and Programs: SIPM 4.5	No Change
6.2.5	Signage shall be posted on any fee-owned county properties along trails where pesticide spraying will take place adjacent to trails. Signage will be posted prior to pesticide spraying. The signage will include the spray date (or range of dates), type of pesticide being sprayed, and trail closures if necessary.	Management and Programs: SIPM 4.6	No Change
6.2.6	<p>Boulder County recognizes that in addition to offering sustainability, pest management with several integrated tactics often results in better environmental stewardship.</p> <p>All tenants shall be strongly encouraged to coordinate</p>	Management and Programs: SIPM 4.2 and 4.4	<p>Incorporated into original policy 6.2.2. This is a principle of Integrated Pest Management</p>

Original Policy Number	Original Policy Language	New Location	New Language
	multiple complementary approaches of pest management to avoid excessive reliance on a single tactic, practice, genetic trait, or pesticide thus extending the length of time over which practices are effective.		
6.2.7	Boulder County shall implement monitoring and reporting regimes to evaluate pesticide usage on Open Space Agricultural properties with the goal of reducing pesticide use, volume, and toxicity.	Management and Programs: SIPM 4.4	<p><i>Boulder County recognizes that Strategic Integrated Pest Management principles include the use of diverse methods of pest control and minimizing the application of pesticides.</i></p> <p><i>Pesticide use on BCPOS agricultural properties by tenant farmers is to be kept to the minimum necessary for effective pest control and in compliance with the Strategic Integrated Pest Management Program.</i></p> <p><i>Boulder County shall implement monitoring programs to track pesticide usage on BCPOS Agricultural properties.</i></p>
6.2.8	Boulder County shall work collaboratively with producers, technical advisors and researchers to determine the best and most effective tools for managing pests on Open Space Agricultural properties.	Management and Programs: SIPM 4.3	No Change
6.2.9	Agricultural tenants shall be provided, and comply, with clear expectations of Strategic Integrated Pest Management goals.	Management and Programs: SIPM 4.9	No Change
6.3.1	Maintain relationships with partner agencies, organizations, and consultants that provide guidance to farmers. Provide access to these agencies, organizations, and consultants; and encourage farmers to seek innovative	Operations on BCOPS Ag Properties: General 3.4	<p><i>(First portion is a repeat of original policy 4.3)</i></p> <p><i>Boulder County shall encourage the exploration of a variety of practices by BCPOS tenants to address soil fertility concerns.</i></p>

Original Policy Number	Original Policy Language	New Location	New Language
	solutions to sustainable practice and soil fertility goals.	Management and Programs: Soil Health 4.12	
6.3.2	Boulder County encourages farmers to implement practices that improve and/or maintain fertility over the long term while maintaining economic and environmental goals.	Management and Programs: Soil Health 4.10 and 4.12	Incorporated into original policy 4.7
6.3.3	Boulder County shall implement monitoring regimes to ensure that practices and policies are stabilizing and improving soil fertility.	Management and Programs: Soil Health 4.11	Incorporated into original policy 4.8
6.3.4	Boulder County shall assure compliance with all Federal, State and local health department requirements, as well as implement all Parks and Open Space requirements for the use of biosolids on Boulder County lands.	Management and Programs: Soil Health 4.13	No Change
7.1	Livestock operations are permitted on properties suitable for livestock.	Management and Programs: Livestock 4.14	No change
7.2	Livestock operations shall be encouraged as a management tool when and where appropriate and employed as a valuable management or rotational use for rebuilding soil health.	Management and Programs: Livestock 4.15	<p><i>Livestock operations are recognized as a valuable tool in management programs such as Strategic Integrated Pest Management and Soil Health.</i></p> <p><i>Livestock operations shall be encouraged both as a rotational phase in diversified operations and as a primary agricultural operation on appropriate BCPOS agricultural properties.</i></p>
7.3	Animal Feeding Operations (AFOs) are permitted on Parks and Open Space property on agricultural properties only with specific permission.	Management and Programs: Livestock 4.17	No change, though a link to appropriate federal and state definitions of AFOs is suggested.

Original Policy Number	Original Policy Language	New Location	New Language
7.4	Animal Feeding Operations (AFOs) shall be sited according to federal, state and, county laws, in appropriate areas with consideration given for appropriate buffers for natural resources and neighbors.	Management - Management and Programs: Livestock 4.18	No change
7.5	AFOs shall employ BMPs for manure management to maximize the use and preservation of manure nutrients in local crop production and shall minimize the release of environmental air and water emissions.	Management and Programs: Livestock 4.19	No change
7.6	Boulder County Parks and Open Space shall develop educational material demonstrating the value and importance of livestock and grazing for the agricultural economy of Boulder County and as a cropland management tool.	Outreach and Education	No change
7.7	Lands for forage production shall be maintained within the Parks and Open Space system to support the livestock industry in Boulder County.	Program Administration: Bid Process and Lease Admin 2.9	<i>Boulder County recognizes the value of forage production to the local livestock industry and will prioritize forage production operations in the lease bid process for certain appropriate BCPOS agricultural properties.</i>
7.8	Parks and Open Space shall collaborate with others to develop infrastructure to support expanded livestock operations in Boulder County.	Management and Programs: Livestock 4.16	<i>Boulder County shall collaborate with tenants, federal, state, and local agencies, and others to develop physical infrastructure to support viable livestock operations on BCPOS agricultural properties.</i>
8.1	Trails shall be developed on agricultural land only with appropriate considerations for agricultural value. Trails shall be: <ul style="list-style-type: none"> • Designed to minimize loss of cropland, irrigation interference, and impact on 	Associated Resource Values – Recreation 6.3	No change

Original Policy Number	Original Policy Language	New Location	New Language
	agricultural operations. <ul style="list-style-type: none"> • Sited to reduce the possibility of weed transfer to ditches or fields. • Closed to the public if/when pesticide application is in progress. 		
9.1	Boulder County and its agricultural tenants shall abide by all federal and state laws governing wetlands, wildlife, and plant species.	Associated Resource Values – – Natural Resources 6.4	No change
9.2	The County Comprehensive Plan Critical Wildlife habitats shall be considered a priority for protection when leases and agricultural operating plans are developed.	Associated Resource Values – – Natural Resources 6.5	No change
9.3	For any wildlife designated as State Threatened or Species of County or State Concern, POS staff shall work with tenants to develop best management practices and site specific plans to manage them.	Associated Resource Values – – Natural Resources 6.6	No change
9.4	If a new occurrence of a protected species occurs on POS land, no additional disturbance within the recommended US Fish and Wildlife Service (USFWS) or Colorado Department of Parks and Wildlife (CDPW) buffer shall occur. Existing operations can continue except where prohibited by these agencies.	Associated Resource Values – – Natural Resources 6.7	No change
9.5	At the beginning or at the renewal of a lease, lease terms may be modified to protect natural resources. If during a lease term, measures, approved by Boulder County, to protect a natural	Program Administration: Bid Process and Lease Admin 2.13	No change

Original Policy Number	Original Policy Language	New Location	New Language
	resource impact the terms of the lease, Boulder County shall compensate for the losses at the tenants share of an average crop insurance claim.		
9.6	All cropland shall be defined as a No Prairie Dog Area as outlined in section 6.3 of the Prairie Dog Element of the Grassland Management Policy.	Management and Programs: Prairie Dogs 4.20	<i>All BCPOS cropland shall be defined as a No Prairie Dog Area as outlined in the Prairie Dog Element of the Grassland Management Policy.</i>
9.7	Priority shall be given to discouraging prairie dogs from occupying cropland. Prairie dogs will be managed in accordance with Section 8.2 and 8.3 of the Prairie Dog Element of the Grassland Management Plan.	Management and Programs: Prairie Dogs 4.21	<i>Boulder County shall prioritize preventing prairie dog encroachment onto BCPOS cropland. Lethal control of prairie dogs will be in accordance with the Prairie Dog Element of the Grassland Management Plan.</i>
9.8	After training and with approval from Parks and Open Space, lease-holders may perform management of prairie dogs on their leased cropland through a system developed by BCPOS by July 1, 2012.	Management and Programs: Prairie Dogs 4.22	<i>After training and with approval from Parks and Open Space, lease-holders may perform lethal control of prairie dogs on their leased cropland.</i>
9.9	To the extent possible, Boulder County POS shall preserve wildlife corridors through agricultural land: 9.9.1. Highest priority corridors to preserve are natural streams – POS shall develop BMPs and appropriate, site specific, buffers to protect these areas. 9.9.2. Ditches often serve as corridors and to the extent possible, these riparian-like habitats shall be maintained.	Associated Resource Values – – Natural Resources 6.8	No change
9.10	Boulder County shall preserve wetlands and Comprehensive Plan designated Critical Wildlife Habitat by developing site specific best management practices and buffers to protect these areas.	Associated Resource Values – – Natural Resources 6.9	No change

Original Policy Number	Original Policy Language	New Location	New Language
9.11	Where feasible, Boulder County shall enhance wildlife habitat on agricultural properties (drainages, grassed waterways, corners of pivot systems, and non-productive land).	Associated Resource Values – – Natural Resources 6.10	No change
9.12	Pollinators, especially bees, are vital to agriculture in Boulder County. Maintaining healthy pollinator populations requires cooperation between farmers, ranchers, bee keepers, and the county. The county shall provide opportunities for dialogue and cooperation between all parties. In the event that any pesticides or practices are linked with Colony Collapse Disorder, Boulder County will work with all involved to eliminate the impact possibly including a ban on a practice or pesticide.	Associated Resource Values – – Natural Resources 6.11	<p><i>Boulder County recognizes the importance of pollinators to agricultural production and functional ecosystems.</i></p> <p><i>Boulder County shall encourage cooperation and facilitate dialog among tenant farmers and other parties interested in the conservation of pollinator populations.</i></p> <p><i>Boulder County shall consider the impacts on pollinator populations in the design of a Strategic Integrated Pest Management program.</i></p>

Boulder County Parks and Open Space Cropland Policy



Approved by the Boulder County Board of County Commissioners

December 20, 2011

Boulder County POS Cropland Policy

Attachment: Cropland Policy Memo Packet for POSAC 18 November 2021 (7583 : Review of Proposed Cropland Policy Amendments)

Boulder County POS Cropland Policy

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Changes to Contents:
- Table of Contents to be updated after revisions accepted by BOCC.

Boulder County POS Cropland Policy

~~Boulder County Cropland Policy Background~~~~*Boulder County Parks and Open Space Mission*~~

~~To conserve natural, cultural and agricultural resources and provide public uses that reflect sound resource management and community values~~

~~1. Boulder County Parks and Open Space~~

~~Geographically situated at the intersection of the Great Plains and the Rocky Mountains, Boulder County's boundaries encompass enormous diversity of land forms, natural resources and habitat. This rich, scenic and natural heritage forms the foundation for Boulder County's quality of life. The idea of the Parks and Open Space Department was initiated in the mid 1960s by citizens who were interested in preserving open space land in the face of rapid county development. Citizens have supported the county Parks and Open Space program, voting in favor of several sales tax ballot issues between 1993 and 2010.~~

~~Today Boulder County owns an interest in nearly 100,000 acres of land (63,696 ac in fee, 36,023 ac in Conservation Easements) divided roughly equally between the plains and mountains. Along with these lands, Boulder County owns water rights valued at \$70 million. Open space lands are governed by the Boulder County Comprehensive Plan, which outlines several purposes (emphasis added):~~

- ~~• Urban shaping between or around municipalities or community service areas~~
- ~~• Preservation of critical ecosystems, habitats and scenic vistas, outdoor recreation areas and trails~~
- ~~• Conservation of natural resources, including forest lands, range lands and agricultural lands~~
- ~~• Protection of designated areas of environmental concern~~

~~2. Management Background~~

~~The Boulder County Comprehensive Plan provides the overarching vision and guiding policies for managing county open space lands. The Boulder County Comprehensive Plan addresses cropland policies in two sections: the Open Space Element and the Agriculture Element. Two pertinent examples:~~

~~Policy OS 2.03.03:~~

~~Management of individual open space lands, including those under agricultural leases, shall follow good stewardship practices and other techniques that protect and preserve natural and cultural resources.~~

~~Policy AG 1.02~~

~~The county shall foster and encourage varied activities and strategies which encourage a diverse and sustainable agricultural economy and utilization of agricultural resources.~~

~~In 2007, Boulder County Parks and Open Space staff started working on a series of policy documents to streamline decision making and help translate the broad goals of the Boulder County Comprehensive Plan into practice. For staff within the organization, these policies serve as a reference for decision-~~

Changes to page:

- Background information removed.**
- Condensed introduction information can be seen in Draft 2021 Cropland Policy.**

Boulder County POS Cropland Policy

~~making and bridge the conceptual direction of the Comprehensive Plan and the detailed direction in property management plans. For the public and elected officials, the policies serve as a guide to the management philosophy within the organization.~~

Policies include:

- ~~Forest Policy (2010)~~
- ~~Conservation Easement Policy (2010)~~
- ~~Water Policy (internal Draft 2008)~~
- ~~Cropland Policy (2011)~~
- ~~Grasslands Policy (2012)~~
- ~~Cultural Resources Policy (2012)~~
- ~~Visitor Use Policy (2013)~~
- ~~Wildlife Policy (2013)~~

Early Agriculture in Boulder County

~~Miners flocked to Boulder County after the discovery of gold in the foothills northwest of Boulder in 1859. But few who travelled across the Plains found the fortunes in gold that they came for. Many returned disillusioned to their families back East. Others saw opportunities to provide food, livestock feed and supplies for the mining camps.~~

~~Farming began in Boulder County with the harvesting of prairie grasses for the gold camps in 1859. Many of the first settlers filed homestead claims along the streams to assure their water supplies, while others understood the need to develop irrigation systems to move water onto land further from the creeks to make it more productive. While the first irrigation ditch was dug by Marinus Smith and William Pell in Boulder, the first water court approved ditch decree in the County is Lower Boulder Ditch with an appropriation date of October 1, 1859.~~

~~Many of the early farms provided fresh fruit, vegetables, flour, dairy products and meat for the local residents as well as produce and livestock hay for the mining camps west of Boulder. Living conditions on the plains were harsh and farming methods learned back East had to be adapted for our semi arid climate.~~

~~During the 1860's, especially with the relocation of the remaining Indian populations to reservations, there was renewed interest in migration to the Colorado Territory. Coal was discovered in Marshall, new mineral discoveries in the mountains swelled their populations, toll roads were constructed into the mining camps, public schools were established, worship services were moved from homes to church buildings, newspapers were published and postal services were extended from Denver. Over the next decade railroad tracks were laid to extend commercial activity, new towns sprang up and the University of Colorado was established in Boulder. This renewed activity and population also increased the need for more agriculture products.~~

Changes to page:

- **Background information removed.**
- **Condensed introduction information can be seen in Draft 2021 Cropland Policy.**
- **Historical information moved to BCPOS website.**

Boulder County POS Cropland Policy

~~3. Cropland Management on Boulder County Open Space~~

~~Today, Boulder County Parks and Open Space oversees approximately 25,000 acres of agricultural land through the Parks and Open Space Agricultural Resources Division. About 15,100 acres are considered cropland. Cropland is defined as land used for irrigated crops, dryland crops, irrigated pastureland, and areas set aside for support facilities and some limited areas set aside for natural resource protection. The majority of the rest of the land managed by the Agricultural Resources Division is dry pastureland used for grazing.~~

~~Unlike other properties owned by the County, agricultural lands are managed through a partnership with farmers who pay to lease the land for agricultural production. Today, the county has 120 leases with 70 farmers and ranchers. With assistance from the Natural Resource Conservation Service (NRCS), these farmers and ranchers develop water and soil conservation plans for the property, County staff develop operating plans for each lease, and then County staff and the farmers/ranchers work together to ensure that infrastructure is up to date, water is being properly delivered and the property and the goals for the property are being met. The County invests the rental proceeds back into the agricultural lands, through the five year Capital Improvement Project plan.~~

~~4. Purpose of the Cropland Policy~~

~~Boulder County manages cropland for the long term. The purpose of the Cropland Policy is to link the goals of the Boulder County Comprehensive Plan with the operational activities of Boulder County Parks and Open Space staff.~~

Cropland Policy Vision

Boulder County Parks and Open Space's vision is to be a national leader in sustainable agriculture.

~~There are many definitions of sustainable agriculture, and most of them include three elements: economic, environmental and social sustainability. Examples include the work of policy organizations such as the USDA National Institute for Food and Agriculture, the Leopold Center for Sustainable Agriculture and Sustainable Agriculture Research and Education.~~

The Cropland Policy sets forth the policies and practices that define sustainable agriculture on Boulder County open space lands.

Soil and Water

~~Soils: Boulder County soils are suited to many kinds of native grasses, shrubs, and other forage plants. Most soils tend toward the clayey end of soil texture, with some sandier areas. Boulder County producers need to implement soil management practices similar to other produce in notable crop production centers of the U.S.~~

~~Water: Understanding the intimate connection between land and water, Boulder County Parks and Open Space (BCPOS) has been vigilant in its acquisition not only of land, but also the water necessary to keep that land and associated ecosystems healthy and productive. The County's water portfolio is valued at over \$70 million and includes ownership in 61 incorporated ditches, 31 unincorporated ditches, 13 reservoirs and at least 57 directly held water rights.~~

~~Boulder County Parks and Open Space operators are required to work with the NRCS to develop soil and water conservation plans.~~

Changes to page:

- Background information removed.
- Condensed introduction information can be seen in Draft 2021 Cropland Policy.
- Information on soil moved to BCPOS website.
- Outdated information on BCPOS water portfolio removed.

Boulder County POS Cropland Policy

5. ~~Cropland Policy Process~~

~~The Cropland Policy was developed in several stages: internal scoping, public outreach, policy development and public review.~~

~~The first stage, internal scoping, began with a series of brainstorming sessions. These brainstorming sessions led to the development of a staff team including members of the Director's staff, the Agricultural Resources staff, Planning staff, Resource Management, and a representative from the Colorado State University Extension Service. This staff met regularly to manage the policy development process, work directly with advisory groups, and draft the proposed policy.~~

~~In May 2010 the public education phase of the process began with the Cropland Management Policy Open House. Over 100 interested residents of Boulder County attended this event at the Boulder County Fairgrounds. The purpose of the event was to reintroduce residents of the county to the Agricultural Resources Program, provide data regarding the program, and release a preliminary plan for the public outreach portion of the Cropland Management Policy.~~

~~Following on the heels of the Open House, staff organized Cropland Tours each month during the summer of 2010 and again in July and August of 2011. These tours took hundreds of county residents into the fields to talk to farmers and get a first hand look at challenges and opportunities of farming in Boulder County. County staff created a virtual Harvest Tour online, allowing residents to learn what types of crops were being harvested and where the harvests might be taking place. The online tour also posted information about crops commonly grown in the county.~~

~~The 2010 public education phase of the outreach process continued in November with a Sustainable Agriculture Forum. This public forum brought together a small group of experts to discuss the subject of sustainable agricultural practices and policies in Boulder County. In February of 2011 the staff brought together local producers to discuss their work in the fields at the Farmer and Rancher Panel Discussion. These forums allowed stakeholders to understand the many different ways in which agriculture and farmers directly impact the lives of people who may never see wheat being harvested.~~

~~In 2011 the public process shifted to developing policies for managing croplands in the long term. The Boulder County Commissioners appointed nine citizens to the Cropland Policy Advisory Group (CPAG) to develop policy recommendations.~~

~~The final stage of the Cropland Policy process was public review, with an informal open house and formal public hearings with the Food and~~

~~Agriculture in Boulder County today (Quick Facts)~~

~~Boulder County, 2007 Census of Agriculture:~~

~~No. of Farms: 746~~

~~Avg. Size of Farms: 185 ac~~

~~Top crops: Forage, Wheat, Corn for grain, Barley for grain, Corn for silage~~

~~Market Value of Farm Products sold: \$34,037,000~~

~~Avg. Market Value per Farm: \$45,625~~

~~Federal Government Payments: \$376,000~~

~~Avg. per farm receiving payments: \$4,525~~

~~Avg. age of principal operator: 59.4 years~~

~~Primary Occupation of Principal Operators: 39% Farming, 61% Other~~

~~Boulder County Parks and Open Space:~~

~~Agricultural Land: 25,000 ac~~

~~Cropland: 15,100 ac~~

~~Types of operations: crop, crop/livestock, livestock, market farm~~

~~No. of leases: 120~~

~~No. of tenant farmers: 70~~

~~Lease revenues: \$1.1M – \$1.3M per year~~

~~Budget: 74% of lease revenue goes toward crop share and water assessments; 17% goes toward operation and maintenance~~

Changes to page:

- Outdated statistics removed.
- History of the Cropland Policy Process is moved to BCPOS website and retained in archived versions of the Cropland Policy.

Boulder County POS Cropland Policy

~~Agriculture Policy Council and the Parks and Open Space Advisory Committee. The final step was a public hearing before the Boulder County Commissioners who approved the Cropland Policy on December 20, 2011.~~

6. ~~Cropland Policy Advisory Group~~

~~The nine members of the Commissioner appointed Cropland Policy Advisory Group represented a variety of stakeholder perspectives, with three conventional farmers, two organic farmers, a representative from an organic dairy, and three at-large citizens. CPAG met approximately twice a month for nine months in 2011. The advisory group process was designed to encourage collaboration and consensus building through discussion and deliberation. Where consensus was not possible, minority opinions are included in this report.~~

~~CPAG meetings were open to the public for observation; public comments were taken in written form and forwarded to CPAG for review; at the request of members of the public, a public input session was added to the CPAG schedule. All meetings were run by a professional facilitator from outside of Boulder County government, contracted to provide her services throughout this process and ensure a fair and balanced group process.~~

7. ~~Document Overview~~

~~The remainder of this document includes the policy, working documents, supporting materials, and public comment from throughout the process. Not every issue pertaining to day to day operation is covered specifically in this document. In many cases, some policies are expanded upon in other documents.~~

~~The Policy section of the document includes the policies developed by the Cropland Policy Advisory Group. The majority of policies reflect a consensus of the CPAG; where members of CPAG disagreed with a specific policy or felt more policies were needed, individual members submitted minority opinions, which are included in the policy document.~~

~~The appendices include a number of examples of working documents used by staff to carry out the policies described in the body of the Cropland Policy, supporting documentation submitted by members of CPAG, and public comments received during the process.~~

Changes to page:

- History of the Cropland Policy Advisor group is moved to BCPOS website and retained in archived versions of the Cropland Policy.**
- The Document Overview is removed as Draft 2021 Cropland Policy is shortened to include only Policy and brief introduction.**

Boulder County Parks and Open Space Cropland Policy

~~This document consists of the collected consensus proposals of the Cropland Policy Advisory Group and, where applicable, the minority opinions. In cases where consensus was not reached, the split within the Advisory Group is noted at the end of the policy.~~

~~1. Administration~~

~~The Agricultural Resources Division manages thousands of acres of cropland and rangeland in cooperation with tenants who lease land from Boulder County. Boulder County supports agriculture in the county and preserves open space. Through this partnership the Agricultural Resources Program shall be administered in a manner that promotes sustainable agriculture and in alignment with community goals.~~

~~This Cropland Policy shall be periodically reviewed and revised, as needed, in response to new scientific developments, new farming tools and techniques, changes in the global and local economy, environment and the evolution of community goals for this publicly owned land.~~

~~Sustainable agriculture is defined by a long term view and by farming practices that ensure that croplands can be farmed and crops produced in perpetuity without diminishing yield, quality of crop, or health and resource of the soils, by continually regenerating soil quality in balance with what is removed in food and fiber.~~

~~Sustainable agriculture provides a livable financial base for the farmer and both serves and receives support from the local economy in which it operates.~~

- 1.1. Most leases shall be bid competitively and the selection criteria shall be publicly available. In some cases properties are not competitively bid in order to respect a specific purchase agreement, or to recognize the efficiencies gained by combining adjacent parcels for improved land management including irrigation management.
- 1.2. Leases are negotiated based on a standard form at market rates, but reflect conditions at each property, the type of operation proposed, and the goals of sustainable agriculture as stated in the Cropland Policy.
- 1.3. Parks and Open Space uses both cash rent and crop share methods to tailor leases to the character of the land and the type of operation.
- 1.4. Leases are awarded to farmers who employ sustainable practices and who demonstrate a commitment to investing in innovative practices through education and skills development.

Changes to page:

- Background information is removed. This information is retained in archived versions of the Cropland Policy.
- Section Introduction removed from here and condensed with document introduction in Draft 2021 Cropland Policy.
- Reference to Appendix removed.

Boulder County POS Cropland Policy

- 1.5. Boulder County recognizes the importance of developing farmers interested in many different forms of farming. Boulder County shall continue to support beginning farmers through youth in agriculture programs, working with Boulder County Extension, and providing competitive lease rates. Boulder County shall develop programs to foster the development of beginning farmers on Boulder County Open Space.
- 1.6. Revenue obtained through the lease of agriculturally designated land should first be used to fund the Agricultural Resources Program and the capital and maintenance activities of the Program.
- 1.7. Lessees seeking USDA organic certification shall receive a 50% reduction in rent during the three-year transition period.
- 1.8. Boulder County shall prioritize opportunities for organic operations on POS land and continue expansion of certified organic agriculture on Open Space land with the goal of maintaining a growth rate in acres leased for organic agriculture that meets or exceeds the national growth rate of organic acres in each year, ~~with the goal of reaching or exceeding 20% of cropland certified organic or in transition by 2020~~, if market forces allow. Boulder County will work with producers, the natural foods industry, and other stakeholders to explore and expand market opportunities.
- 1.9. Staff shall develop methods for creating public awareness of the role of public open space in crop and local food production. ~~(Appendix 4: Education and Outreach)~~
- 1.10. Boulder County will prioritize the expansion of food crops on Open Space land for local markets.
- 1.11. Standard operating procedures shall be developed to protect cultural resources on cropland.
- 1.12. Structures, facilities, and special uses for agricultural properties may be allowed, but must first be approved by POS, allowed under County Land Use Code, and not remove cropland from productive use. Such structures, facilities, and uses shall be of a scale such that they do not impact the predominate nature of Open Space as open land. POS approval shall consider neighborhood compatibility and other potential impacts.
- 1.13. Boulder County shall adopt a Good Neighbor ~~Policy~~. All agricultural tenants shall be provided, and comply with, the expectations of the Good Neighbor ~~Policy~~.
- 1.14. Boulder County Parks and Open Space shall establish the Good Neighbor ~~Policy~~ to assist farmers of Open Space properties in resolving conflicts arising from common practices and practices specific to a lessee's operations. Boulder County shall provide a venue for sharing

Changes to page:

- Outdated goal removed.
- Reference to Appendix removed.
- Good Neighbor Policy to be renamed 'Good Neighbor Guidelines' as it is not a Commissioner-reviewed county policy. rewritten name can be seen in Draft 2021 Cropland Policy.
- Highlighted 1.14 is suggested for re-write for clarity. New language for 1.14 can be found in Draft 2021 Cropland Policy.

Boulder County POS Cropland Policy

information on the standards and policies for farming on Open Space and provide a method and venue for mediating disputes arising out of the interaction among farms and with residential areas. A draft Good Neighbor Policy as discussed and approved by the Cropland Policy Advisory Group can be found in the Appendix 5: Boulder County POS Good Neighbor Policy.

- 1.15. Lease applications and lease consideration shall be available to individuals, non-profits, or community groups who wish to lease an agricultural parcel for the purpose of rebuilding soil and ecosystem health of the parcel, transitioning the parcel to organic certification and production, or farming the parcel for public and community benefit.
- 1.16. Boulder County Parks and Open Space supports farmer succession planning. Boulder County considers succession plans as one of many factors evaluated in the lease bid process.
- 1.17. Food safety regulations for producers on Boulder County cropland are enforced through governmental entities, which include but are not limited to: Boulder County Health Department, Colorado Department of Public Health and the Environment, and Federal regulators. Farmers must abide by these regulations.

~~2. Market, Small, and Specialty Crop Farms~~

~~Boulder County Parks and Open Space can play an important role in developing alternative markets and diversifying the agricultural economy in Boulder County. The small and market farm programs are designed to provide a stepping stone to economic sustainability and contribute to the availability of local food.~~

- 2.1. Boulder County shall administer a program to support and encourage small acreage farms on Boulder County Parks and Open Space land.
- 2.2. Boulder County shall develop and maintain a ~~Growers' Association~~ program to help beginning farmers to develop skills and practices while sharing land management responsibilities with other farmers.
- 2.3. Boulder County supports the development of direct-to-market operations such as on-site sales and shall consider facilities and structures, subject to land use code, necessary for such operations as described in the Administrative Section of the Cropland Policy.
- 2.4. Boulder County shall work collaboratively with farmers' markets and other marketing opportunities to support the use of open space products in providing local foods.
- 2.5. Boulder County shall work with County Extension and other organizations to foster communication and coordination among growers to proactively address co-existence issues such as cross-pollination and chemical trespass.

Changes to page:

- Section name is removed.
- New groupings and Section headings can be seen in Draft 2021 Cropland Policy.
- Name of program for beginning farmers removed. Program will be re-named as it is developed post-COVID.

Boulder County POS Cropland Policy

~~3. Water~~

~~Boulder County owns and manages a significant portfolio of water resources for environmental and agricultural purposes. The water resources managed by Parks and Open Space allow farmers to successfully produce crops on our Cropland. Parks and Open Space must continue to manage water such that farmers can have access to the water they need to succeed.~~

~~Water is a precious resource for agriculture in Boulder County and throughout the arid west. Yearly fluctuations in precipitation and the seasonality of that precipitation make managing water a key to any successful agricultural resources program. Boulder County addresses this issue in two important ways. First, the staff works with farmers to ensure that water is delivered and used in the most efficient manner. Boulder County works with farmers to install more efficient watering systems such as pivot irrigators, and when possible, drip irrigation systems. Second, as a major holder and user of water in the county, Boulder County is on the board of or an active participant in, most ditch companies within Boulder County.~~

~~The Water Policy is a separate document covering the full range of water management issues. It will be presented to the public in 2012 for review and comment. The policies below relate to agriculture and are cross referenced to the Water Policy where applicable.~~

- ~~3.1. Boulder County shall maximize the beneficial application and use of water by analyzing available water resources, agricultural properties, and diversity of crops. Fully use county-owned water to avoid potential abandonment.~~
- ~~3.2. (Water Policy 1a.iv.) [Boulder County shall] Use supplemental water shares, primarily Colorado Big Thompson water, where it can provide the most benefit and when possible, purchase all water rights, including supplemental water, in new acquisitions.~~
- ~~3.3. (Water Policy 1c.i.) [Boulder County shall] Work with policy makers to advocate that water law continues to support agricultural uses.~~
- ~~3.4. (Water Policy 1h.) [Boulder County shall] Explore and implement rainwater storage devices where legally possible.~~
- ~~3.5. (Water Policy 1i.) [Boulder County shall] Continue to purchase additional water rights if funds are available and if they can be beneficially used.~~
- ~~3.6. (Water Policy 1l.) [Boulder County shall] Monitor water supply and delivery in both the short and long term, to measure the impact of climate change. Alter practices and planning as appropriate to reflect anticipated climate impact changes.~~
- ~~3.7. (Water Policy 2a.iv.) [Boulder County shall] Advocate for maintaining Ditch Company by laws that support continued agricultural use of water.~~
- ~~3.8. (Water Policy 2e.) Boulder County shall work collaboratively with other agencies to protect the quality of irrigation waters~~

Changes to page:

- Introduction information is removed.
- Water Policy summaries removed.
- Revised Water section will link to Water Policy document so that future versions of the two Policies will align. Revised Water section can be seen in Draft 2021 Cropland Policy.

Boulder County POS Cropland Policy

- ~~3.9. (Water Policy 3e.) Boulder County shall research the potential impacts of climate change on riparian habitats along water delivery systems. Develop practices that maintain riparian ecosystem health under future conditions.~~
- ~~3.10. (Water Policy 4g.) Boulder County shall evaluate all storage proposals and support those that benefit the Department's agricultural or conservation programs and that are suitable environmentally.~~
- ~~3.11. (Water Policy 7a.iv.) Boulder County shall use Best Management Practices to protect water quality and reduce soil erosion.~~

4. Soil Health and Quality

~~The long term health of agricultural soils is a major determining factor in how successful Boulder County will be in creating a sustainable agricultural system on its cropland. Sustainability as it relates to soil health and quality requires affirmative efforts to protect the resource base of cropland so that it shall be productive in the future. Indicators of soil health and quality include, but are not limited to: percent of organic matter, soil salts, pesticide residue, and the degree of soil erosion. Soil health policies address these dimensions of soil health and quality. The policies below are cross referenced to the Water Policy where applicable.~~

- 4.1. Tenants shall operate in accordance with Soil and Water Conservation Plans approved by the Natural Resources Conservation Service.
- 4.2. Tenants shall operate in accordance with operating plans developed in collaboration with Parks and Open Space.
- 4.3. Boulder County shall maintain relationships with partner agencies, organizations, and consultants that provide guidance to farmers; provide access to these agencies, organizations, and consultants; and encourage farmers to seek innovative solutions to sustainable practice and soil healthy/quality issues.
- ~~4.4. (Water Policy 2e.) Boulder County shall work collaboratively with other agencies to protect the quality of irrigation waters entering and leaving Boulder County properties.~~
- ~~4.5. (Water Policy 7 b.) Boulder County shall meet or exceed local, state, and federal water laws and regulations.~~
- ~~4.6. (Water Policy 7b.iii.) Boulder County shall be informed of, identify, summarize, and comply with relevant water quality regulations and laws pertaining to Boulder County activities.~~

Changes to page:

- Section introduction information is removed.
- Water Policy summaries removed.
- Water Policy link will be provided in Draft 2021 Cropland Policy.
- Highlighted 4.3 suggested for re-write for clarity. New language can be seen in Draft 2021 Cropland Policy.

Boulder County POS Cropland Policy

- 4.7. Boulder County shall require best management practices with respect to soil health and quality (Appendix 6: Soil Health and Quality). These practices may include but are not limited to:
- Conservation tillage
 - Soil amendments
 - Cover crops
 - Residue management
 - Crop Rotation
 - Rotational Grazing
- 4.8. Boulder County shall implement monitoring regimes to ensure that practices and policies are stabilizing and improving soil health and quality.
- 4.9. Boulder County shall encourage experimental farming practices and adoption of these practices where and when appropriate. Boulder County shall collect and disseminate data on experimentation. Such lands shall be administered as a part of a lease to an existing farmer tenant or as a special lease for the purpose of RD&D and may include crop sharing or flat rentals as with other leases, or incentive leases to stimulate RD&D. BCPOS shall be a repository of all such RD&D reports and shall make the reports and raw data readily available two years after the completion of the project.
- 4.10. Boulder County gathers and maintains, and makes available if requested data concerning the key indicators of soil health.

~~5. Economic Viability~~

~~Economic viability requires attracting high quality agricultural operators and providing an environment that supports their long term economic survival. Boulder County develops and follows clear practices and guidelines that allow agricultural operations to flourish.~~

- 5.1. Boulder County supports self-sufficient and economically viable agricultural operations and recognizes they are essential to the overall viability of the agricultural program.
- 5.2. Boulder County shall promote and encourage diversity in cropping systems, crops, and practices, to balance risks associated with factors beyond farmers' control, such as weather events, price fluctuations, federal price supports, etc.
- 5.3. Boulder County supports operators willing to explore and adopt new farming practices and new markets that embody the Department's and the community's long term goals while also practicing sound management.
- 5.4. Boulder County shall work with local and regional economic development, business and community organizations to integrate agricultural economic development into overall community and economic development strategies and to promote strategies to strengthen

Changes to page:

- Highlighted 4.7, 4.8, 4.9, 4.10 suggested to be re-written for clarity and to incorporate BOCC guidance on Soil Health Program. New language can be seen in Draft 2021 Cropland Policy.

Highlighted 4.9 suggested to have reference to research program dismissed in 2017 removed.

Boulder County POS Cropland Policy

and expand existing farm and agri-businesses and attract activities complementary to agriculture to Boulder County.

- 5.5. Boulder County works with farmers, resource providers, local businesses, and organizations to encourage development of necessary infrastructure and relationships to support existing markets and explore new markets.
- 5.6. Boulder County works with a variety of organizations including CSU Extension to support educational programs that promote farming as a career, enrich farming practices, and encourage engagement with farmers.
- 5.7. Boulder County maintains current infrastructure and invests strategically in capital improvement projects to attract a larger pool of agricultural producers.
- 5.8. Boulder County supports creating lease terms that encourage tenant investment in infrastructure to enhance productivity.
- 5.9. Boulder County reviews economic viability of agricultural operations on Boulder County Parks and Open Space land. The Agricultural Resources Division shall work with farmers to improve productivity when and where possible.

6. Agricultural Inputs

~~Agriculture has an impact on the air, land, and water. Sustainable agriculture includes efforts to reduce extractive and destructive processes. Different types of agriculture use different techniques for maintaining a balance of practices to sustain the air, land, and water. The policies below attempt to address these different techniques while making it clear that Boulder County Parks and Open Space is committed to sustainable agriculture.~~

6.1. Genetically Engineered Crops

Crops have been selectively bred and manipulated for thousands of years. With the advent of new technologies, corporations and universities are using advanced techniques for inserting and altering genetic codes to create commercially viable plants that address continued issues in agriculture such as pest control and drought tolerance. Controversies have sprung up around the techniques, practices, and consequences of this technology. However, commercially available seeds and treatments are reviewed, tested, and approved by the Environmental Protection Agency, the U.S. Department of Agriculture, and the Food and Drug Administration.

Boulder County Parks and Open Space believes that sustainable agriculture for Boulder County must be founded upon the idea of long term viability.

In light of ongoing controversy over the public health, environmental, and socio-economic impacts of genetically engineered (GE) crops, Boulder County will, in general, only allow the planting of GE crops on County Open Space cropland when the likely, demonstrable benefits from the planting of a federally-approved GE crop will surpass the known and potential risks associated with adoption of

Changes to page:

- Highlighted 5.8 and 5.9 suggested to be re-written for clarity.
- Section introduction removed.
- Highlighted 6.1 suggested to be re-written for clarity and to incorporate direction from BOCC.
- New language can be seen in Draft 2021 Cropland Policy.

Boulder County POS Cropland Policy

Boulder County shall consider the following potential impacts of a GE crop, as well as specific trait claims, in making its determination regarding whether the expected benefits exceed the costs and credibly verified scientifically-documented risks associated with planting the GE crop. Proposals shall be evaluated based on the applicable criteria that best relate to the specific trait claim made by the manufacturer. Decisions shall be made by POS staff in conjunction with appropriate representatives from The University of Colorado (CU), Colorado State University (CSU), CSU Extension, tenant representatives, and other agricultural organizations.

- 6.1.1. **Integrated Pest Management and Resistance Management:** The GE technology shall be compatible with the core principles of Integrated Pest Management, which include an emphasis on pest prevention, diversification in the tools used to control pests, avoiding excessive reliance on any single tool, and attacking pests at their most vulnerable points in their lifecycle.
- 6.1.2. **Pesticide Resistance:** The GE cultivar shall allow farmers to significantly reduce the impacts of pesticides on non-target organisms and people, water and soil quality, or biodiversity either through a shift to reduced-risk pesticides or a reduction in pesticide use on a per acre basis (or both).
- 6.1.3. **Conservation:** The GE technology shall be compatible with core principles of Best Management Practices promoting soil conservation, water quality and water conservation.
- 6.1.4. **Yield and Quality Management:** The GE technology shall substantially increase crop yield or crop quality, and/or profitability compared to best available genetics and production systems for the area.
- 6.1.5. **Human Nutrition:** The novel traits in the GE crop substantially enhance the nutritional quality and content of the harvested crop, so that any finished product containing the crop or ingredient qualify for FDA labeling requirements of "High," Rich in," or "Provides." (Current FDA regulations specify 20% or more.)
- 6.1.6. **Allergens and Toxicity:** The engineered crop substantially reduces the levels of known or expected human allergens or toxins, and the label associated with the crop, or foods containing the crop, identifies the allergen whose levels have been reduced, the degree of reduction, and states that the crop was genetically engineered.

The terms and restrictions imposed as a condition of planting the GE crop should not abridge the ability of tenants to choose the GE and conventional crop genetics most suited to their farm, or otherwise limit management discretion.

Approval of any GE crop shall be granted for five years at a time. For all GE crops approved for use, Boulder County shall develop a monitoring system in cooperation with farmers, CSU and other

Changes to page:

- Highlighted 6.1 suggested to be re-written for clarity and to incorporate direction from BOCC.
- New language can be seen in Draft 2021 Cropland Policy.

Boulder County POS Cropland Policy

partner agencies to determine whether the GE technology is consistently delivering the anticipated and claimed benefits and whether any unanticipated adverse impacts have occurred.

Any approval of genetically engineered crops or organisms on Boulder County Open Space land must address gene flow, notification, and resistance management. Genetically engineered crops must be approved for use by the Federal government and shall not be approved for planting on Open Space land for a minimum of three years after approval for use by the Federal government. This will allow experts and policy-makers to assess possible impacts.

Gene Flow: Protocols surrounding gene flow are instituted in order to minimize opportunities for the intermingling of GE and non-GE genetics. Procedures will vary based on how the organism under consideration reproduces. Common practices with respect to plants currently approved by the USDA include removing bolts and planting non-GE buffers. If the Department approves a particular genetically engineered organism for Open Space properties, protocols for minimizing gene flow must be included.

Notification is currently part of the protocols for genetically engineered corn planted on Open Space. As with gene flow, protocols for proposed genetically engineered organisms will vary. Notification protocols shall protect neighbors from the possibility of gene flow and encourage communication to help with resistance management.

Resistance management addresses concerns regarding the development of pests resistant to pesticides. Resistance can be managed in a number of ways and protocols may call for additional resistance management techniques. To prevent development of weed resistance to glyphosate, BCPOS growers are required to rotate to a non-Roundup Ready cropping system in the year following a Roundup Ready crop. If this is not possible and Roundup Ready cropping is done in two consecutive years then a field must stay out of Roundup Ready cropping system for two years before returning to a Roundup Ready crop.

Resistance management protocols will also be required for Bt corn. Boulder County reserves the right to require best management practices as indicated by BT resistance management studies.

Glyphosate-resistant crops are currently planted on Boulder County Parks and Open Space leased land. With protocols approved by staff, the glyphosate resistant crops permitted on BCPOS land shall be corn and sugarbeets. Glyphosate resistant alfalfa will not be permitted. If glyphosate resistant wheat becomes available, it may be considered for approval by staff based on the criteria in this policy. However, if approved for use it can only be planted in fields where no other glyphosate resistant crops are planted in rotation.

6.2. ~~Pest Management~~

~~Managing pests whether animal, plant, fungus, or other is a constant battle for farmers in Boulder County. Tools for managing pests vary by farmer, crop, and area. However, clear state and federal guidelines dictate application practices and precautions. Boulder County reserves the right to impose additional protocols to protect farmers, neighbors, plants, and/or animals.~~

Changes to page:

- Highlighted 6.1 suggested to be re-written for clarity and to incorporate direction from BOCC.
- New language can be seen in Draft 2021 Cropland Policy.
- Section introduction removed.

Boulder County POS Cropland Policy

- 6.2.1. Sustainable pest management is recognized as an integral part of agriculture operations. Boulder County supports the safe and controlled management of pests on Boulder County Property to protect the environment, neighbors and users.
- 6.2.2. Boulder County shall manage pests through a Strategic Integrated Pest Management Program that protects the environment, neighbors, and users (**Appendix 7: Strategic Integrated Pest Management and Appendix 9: Pesticide Application Protocols**).
- 6.2.3. Boulder County Ag tenants shall use any legal method for pest control allowed under State and Federal Law and in compliance with Boulder County Strategic IPM Guidelines. Boulder County Parks and Open Space reserves the right to restrict specific pesticides and/or application practices. Boulder County Ag tenants shall reduce pesticide usage over time with the goal of minimizing the use, volume, and toxicity of these pesticides.
- 6.2.4. Any pesticide application on Open Space Agricultural Lands shall be completed in compliance with the Agricultural Division’s application protocols.
- 6.2.5. Signage shall be posted on any fee-owned county properties along trails where pesticide spraying will take place adjacent to trails. Signage will be posted prior to pesticide spraying. The signage will include the spray date (or range of dates), type of pesticide being sprayed, and trail closures if necessary.
- 6.2.6. Boulder County recognizes that in addition to offering sustainability, pest management with several integrated tactics often results in better environmental stewardship. All tenants shall be strongly encouraged to coordinate multiple complementary approaches of pest management to avoid excessive reliance on a single tactic, practice, genetic trait, or pesticide thus extending the length of time over which practices are effective.
- 6.2.7. Boulder County shall implement monitoring and reporting regimes to evaluate pesticide usage on Open Space Agricultural properties with the goal of reducing pesticide use, volume, and toxicity.
- 6.2.8. Boulder County shall work collaboratively with producers, technical advisors and researchers to determine the best and most effective tools for managing pests on Open Space Agricultural properties.
- 6.2.9. Agricultural tenants shall be provided, and comply, with clear expectations of Strategic Integrated Pest Management goals.

~~6.3. Soil Fertility and Amendments~~

~~Soil fertility is integral to sustainable agriculture. Boulder County supports efforts to maintain and improve soil fertility.~~

- 6.3.1. Maintain relationships with partner agencies, organizations, and consultants that provide guidance to farmers. Provide access to these agencies, organizations, and

Changes to page:

- Highlighted 6.2.1, 6.2.2, 6.2.3, 6.2.6, and 6.2.7 suggested to be re-written for clarity. New language can be seen in Draft 2021 Cropland Policy.

- Section introduction removed.

- Highlighted 6.3.1 suggested to be re-written for clarity. New language can be seen in Draft 2021 Cropland Policy.

Boulder County POS Cropland Policy

consultants; and encourage farmers to seek innovative solutions to sustainable practice and soil fertility issues.

6.3.2. Boulder County encourages farmers to implement practices that improve and/or maintain fertility over the long term while maintaining economic and environmental goals.

6.3.3. Boulder County shall implement monitoring regimes to ensure that practices and policies are stabilizing and improving soil fertility.

6.3.4. Boulder County shall assure compliance with all Federal, State and local health department requirements, as well as implement all Parks and Open Space requirements for the use of biosolids on Boulder County lands. (~~Appendix 8: Biosolids Standard Operating Procedures~~)

~~7. Livestock Management~~

~~Livestock of many different types have been an important component of agriculture in Boulder County for years. Livestock operations differ significantly from other cropland practices and many of their actions will be governed by the Grassland Management Policy, scheduled to be created and adopted in 2012.~~

7.1. Livestock operations are permitted on properties suitable for livestock.

7.2. Livestock operations shall be encouraged as a management tool when and where appropriate and employed as a valuable management or rotational use for rebuilding soil health.

7.3. Animal Feeding Operations (AFOs) are permitted on Parks and Open Space property on agricultural properties only with specific permission.

7.4. Animal Feeding Operations (AFOs) shall be sited according to federal, state and, county laws, in appropriate areas with consideration given for appropriate buffers for natural resources and neighbors.

7.5. AFOs shall employ BMPs for manure management to maximize the use and preservation of manure nutrients in local crop production and shall minimize the release of environmental air and water emissions.

7.6. Boulder County Parks and Open Space shall develop educational material demonstrating the value and importance of livestock and grazing for the agricultural economy of Boulder County and as a cropland management tool.

7.7. Lands for forage production shall be maintained within the Parks and Open Space system to support the livestock industry in Boulder County.

Changes to page:

- Highlighted 6.3.2 and 6.3.3 suggested to be re-written for clarity and to incorporate BOCC guidance on Soil Health Program. New language can be seen in Draft 2021 Cropland Policy.

- Reference to Appendix removed.

- Section introduction removed.

- Highlighted 7.2 and 7.3 suggested to be re-written for clarity. New language can be seen in Draft 2021 Cropland Policy.

Boulder County POS Cropland Policy

- 7.8. Parks and Open Space shall collaborate with others to develop infrastructure to support expanded livestock operations in Boulder County.

~~8. Recreation on Cropland~~

~~Passive recreation is part of the mission of Boulder County Parks and Open Space. While cropland is protected for agricultural uses, recreation opportunities may be part of sustainable agriculture in Boulder County.~~

- 8.1. Trails shall be developed on agricultural land only with appropriate considerations for agricultural value. Trails shall be:
- Designed to minimize loss of cropland, irrigation interference, and impact on agricultural operations.
 - Sited to reduce the possibility of weed transfer to ditches or fields.
 - Closed to the public if/when pesticide application is in progress.

~~9. Natural Resources on Cropland~~

~~Natural resource protection is part of the mission of Boulder County Parks and Open Space. Sustainable agricultural practices include protecting natural resource systems.~~

- 9.1. Boulder County and its agricultural tenants shall abide by all federal and state laws governing wetlands, wildlife, and plant species.
- 9.2. The County Comprehensive Plan Critical Wildlife habitats shall be considered a priority for protection when leases and agricultural operating plans are developed.
- 9.3. For any wildlife designated as State Threatened or Species of County or State Concern, POS staff shall work with tenants to develop best management practices and site specific plans to manage them. ~~(Appendix 10: Wildlife Best Management Practices)~~
- 9.4. If a new occurrence of a protected species occurs on POS land, no additional disturbance within the recommended US Fish and Wildlife Service (USFWS) or Colorado Department of Parks and Wildlife (CDPW) buffer shall occur. Existing operations can continue except where prohibited by these agencies.
- 9.5. At the beginning or at the renewal of a lease, lease terms may be modified to protect natural resources. If during a lease term, measures, approved by Boulder County, to protect a natural resource impact the terms of the lease, Boulder County shall compensate for the losses at the tenants share of an average crop insurance claim.
- 9.6. All cropland shall be defined as a No Prairie Dog Area as outlined in section 6.3 of the Prairie Dog Element of the Grassland Management Policy.

Changes to page:

- Section introductions removed.
- Reference to Appendix removed.
- Highlighted 9.6 suggested to be re-written for clarity and to remove reference to specific section of Grassland Management Plan. New language can be seen in Draft 2021 Cropland Policy.
- Link to Grassland Management Plan to be added.

Boulder County POS Cropland Policy

- 9.7. ~~Priority shall be given to discouraging prairie dogs from occupying cropland. Prairie dogs will be managed in accordance with Section 8.2 and 8.3 of the Prairie Dog Element of the Grassland Management Plan.~~
- 9.8. After training and with approval from Parks and Open Space, lease-holders may perform management of prairie dogs on their leased cropland through a system developed by BCPOS by July 1, 2012.
- 9.9. To the extent possible, Boulder County POS shall preserve wildlife corridors through agricultural land:
- 9.9.1. Highest priority corridors to preserve are natural streams – POS shall develop BMPs and appropriate, site specific, buffers to protect these areas. (Appendix 11: Riparian and Wetland Best Management Practices)
- 9.9.2. Ditches often serve as corridors and to the extent possible, these riparian-like habitats shall be maintained.
- 9.10. Boulder County shall preserve wetlands and Comprehensive Plan designated Critical Wildlife Habitat by developing site specific best management practices and buffers to protect these areas.
- 9.11. Where feasible, Boulder County shall enhance wildlife habitat on agricultural properties (drainages, grassed waterways, corners of pivot systems, and non-productive land).
- 9.12. Pollinators, especially bees, are vital to agriculture in Boulder County. Maintaining healthy pollinator populations requires cooperation between farmers, ranchers, bee keepers, and the county. The county shall provide opportunities for dialogue and cooperation between all parties. In the event that any pesticides or practices are linked with Colony Collapse Disorder, Boulder County will work with all involved to eliminate the impact possibly including a ban on a practice or pesticide.

Changes to page:

- Reference to specific section of Grassland Management Plan removed.
- Link to Grassland Management Plan to be added.
- Highlighted 9.7, 9.8, and 9.12 suggested to be re-written for clarity.

Boulder County POS Cropland Policy

Appendices

~~Appendix 1: Cropland Policy Advisory Group Minority Reports~~

~~The reports in this section were submitted by members of CPAG who did not vote with the majority of members on the policies noted. These alternative policies were included in the documents provided to all advisory groups and the Commissioners for approval. Additional Minority reports that did not correspond to particular policies can be found in Appendix 11.~~

~~Minority Report on Policy 4.9:~~

~~BCPOS shall make available appropriate lands from the croplands owned by the county for the purpose of conducting research, development and demonstration (RD&D) of innovative sustainable agricultural practices, including such things as evaluating new high value crops which can support and create local consumption or processing inputs to other local industries, perennial crops such as grains, fruits, vegetables, herbs and fibers, methods for reducing greenhouse gas emissions, methods to rejuvenate and build soil health and productivity, plant selection and animal husbandry by traditional non-GE methods, practices and methods to minimize nonrenewable energy in agriculture, long term comparative field trials of comparing different modes of crop production such as organic and mainstream methods, local non-GMO seed production, methods to better capture and utilize valuable plant nutrients, and other innovative concepts which can potentially benefit local economy, the local food supplies, and simultaneously protect and improve the environment, and the health and well being of Boulder County citizens.~~

~~All such RD&D shall be fully open for free access and application by everyone, no secrecy or licensing shall be allowed. Technologies may be freely used by the developers but without exclusivity. BCPOS will routinely disseminate the full results of all such RD&D conducted on its lands, shall hold annual reviews workshops or conferences, and use other appropriate means to release the knowledge gained. BCPOS shall be a repository of all such RD&D reports and shall make the reports readily available to all parties. Tenant farmers on BCPOS lands shall also be encouraged to host such RD&D on existing leased lands with the proviso that all such research shall be free and open and be submitted to BCPOS for dissemination.~~

~~BCPOS shall solicit proposals for such sustainable agriculture RD&D on an annual basis, or appropriate schedule based upon the available stock of land, with a goal of providing up to 5% of croplands for this purpose. Such lands shall be administered as a special lease for the purpose of RD&D and may include crop sharing or flat rentals as with other leases, or incentive leases to stimulate RD&D, or other methods found to be appropriate.~~

~~Minority Report on Policy 6.1:~~

~~1. No crops (or animals) grown on Boulder County Parks and Open Space (BCPOS) lands can be genetically modified as defined by the USDA. This requirement shall go into effect for the calendar~~

Changes to Appendix 1:

**- Minority Reports removed.
- Minority Reports Cropland Policy Advisory Committee information, and history of the Cropland Policy Process will be available on the BCPOS website and in archived versions of the Cropland Policy.**

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~~year 2012. Prior approvals for genetically modified corn crops shall be rescinded, effective for crop year 2012.~~

~~2. Boulder County shall establish goals and implementation programs for 10% of its croplands to be operated using organic production methods by 2015, 20% of its croplands to be operated using organic methods by 2020, and 50% of its croplands to be operated using organic production methods by the year 2025. Goals to transition to organic production shall be re-evaluated by BCPOS every five years to consider potential acceleration of transitioning to sustainable organic production.~~

~~3. Boulder County Parks and Open Space shall declare all open space agriculture lands as non-GMO refuge areas. In order to provide tenant farmers with non-GMO options in their seed supplies, the BCPOS shall make available croplands for and encourage farming operations for the production of non-GMO seed, including such crops as sugar beets, corn, alfalfa, barley, wheat and other crops that are supply threatened by monopoly seed company practices. BCPOS shall establish and enforce genetic isolation measures to ensure the integrity of such non-GMO seed production activities, organic farming activities and its non-GMO refuge. GMO producers within insect pollinator, wind, water or other vector isolation buffers of open space lands shall be required to give prior notice to BCPOS and its tenant farmers, and shall take all necessary measure to prevent contamination of any non-GMO seed production and organic farming operations on BCPOS lands.~~

~~Minority Report on Policy 6.2.3~~

~~1. Boulder County Parks and Open Space lands should ban the use of all pesticides containing glyphosate herbicides on its lands, including croplands, rangelands and other locations. A prompt phase-out program of no more than one year duration should be implemented.~~

~~2. Boulder County Parks and Open Space lands should ban the use of all neonicotinoid pesticides on its lands, croplands, rangelands and other locations.~~

Appendix 2: Sample Lease

SAMPLE LEASE AGREEMENT

~~THIS LEASE AGREEMENT, hereinafter referred to as "Lease" or "Agreement", is made to be effective as of the 1st day of ** January, 200__, between the County of Boulder, a body corporate and politic, hereinafter referred to as "Landlord" or "County", and _____, whose address is _____, hereinafter referred to as "Tenant".~~

~~In consideration of the mutual covenants contained herein and other valuable consideration, the parties hereto agree as follows:~~

~~1. LEASE OF PREMISES~~

~~The Landlord and Tenant hereby agree to enter into a lease for approximately _____ acres of land known as the _____ Open Space, Boulder County, Colorado, hereinafter referred to as the "Leased Premises", legally described in Exhibit A, and as shown on the map attached hereto as Exhibit B, which exhibits are made a part hereof by this reference. **Included in the Leased Premises are the following structures, facilities and equipment as identified on Exhibit B; ** center pivot irrigation system, _____.~~

~~2. TERM~~

~~The term of this Lease shall commence on _____ 20__, ** (OR) the execution hereof ** and shall end on December 31, 20__, unless terminated by Landlord at an earlier date, as provided in Paragraph 18 of this Agreement. ** THE INITIAL TERM FOR ALL LEASES SHALL BE ONE YEAR ** If Tenant is in compliance with all the terms of the Lease, including all rental payments due, Tenant, at Tenant's option, may renew the Lease upon the same conditions for up to two additional one-year terms. If Tenant chooses to exercise either of the two options to renew the Lease, Tenant must provide written or verbal notice to Landlord by December 15 of the year prior to the applicable option year. Any work or preparation for farming after termination/expiration of the Lease term shall not constitute or be construed as a renewal of the terms of this Lease.~~

~~**USE THIS PARAGRAPH IF THERE IS A POSSIBILITY THAT THE PROPERTY MAY BE SOLD DURING THE TERM OF THIS LEASE**~~

~~Landlord may also terminate this Lease if it sells the Leased Premises to a third party. In the event Landlord sells the Leased Premises to a third party prior to the expiration of this Lease, Landlord shall provide written notice to Tenant of such sale no less than thirty (30) days prior to the date of sale. Tenant reserves the right to negotiate a new lease with the new owner. However, if Tenant is unable to negotiate a new lease with the new owner, Tenant may remain in possession of Leased Premises after the sale until: (a) the later of 60 days or the end of the~~

Attachment: Cropland Policy Memo Packet for POSAC 18 November 2021 (7583 : Review of Proposed Cropland Policy Amendments)

Changes to Appendix 2:
- Sample Lease Agreement removed.
- A current Sample Lease Agreement will be available on the BCPOS website.

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~~current growing season (the growing season being from March 1 to October 31); or (b) the later of 60 days or the start of the next growing season if the sale occurs during the dormant season.~~

~~** IF LANDLORD WANTS TENANT TO VACATE ONE OF THE PARCELS**~~

~~Landlord and Tenant agree that, notwithstanding anything in this Lease to the contrary, Landlord may terminate the Lease as to **Name of Parcel** at any time upon thirty (30) days written notice to Tenant.~~

~~**USE THIS PARAGRAPH IF THERE IS A POSSIBILITY THAT THE TENANT OWNS A HOMESTEAD ON THE PROPERTY AND SELLS TENANT'S PROPERTY DURING THE TERM OF THIS LEASE**~~

~~In the event Tenant owns property adjacent to the Leased Premises ("Tenant's Property"), Landlord may terminate this Lease if Tenant sells the Tenant's Property to a third party. In the event Tenant sells the Tenant's Property to a third party prior to the expiration of this Lease, Tenant shall provide written notice to Landlord of such sale no less than thirty (30) days prior to the date of sale. Landlord reserves the right to terminate the Lease and negotiate a new lease with the new owner or lease the property to a new tenant, at Landlord's sole discretion. Tenant may remain in possession of Leased Premises after the sale for up to 30 days, but must remove all personal property within that time period~~

~~3. RENT~~

~~**Cash Rent**~~

~~Tenant shall pay the Landlord rent of ** DOLLARS (\$ **.00) per annum, based on _____ acres at ** DOLLARS (\$ **.00) per acre and shall be paid as follows: _____ . FINAL PAYMENT MUST BE RECEIVED BY DECEMBER 15 OF THE APPLICABLE YEAR.~~

~~Within thirty (30) days of planting perennial crop seed, Tenant shall submit to Landlord written evidence of the cost of such seed. Should Tenant cease to lease the Leased Premises within five (5) years after Tenant's planting perennial crop seed, unless the Lease is terminated pursuant to Paragraph 18, Landlord shall reimburse Tenant a pro rata share of the cost of such perennial crop seed. Such reimbursement shall be paid to Tenant within thirty (30) days after expiration or termination of this Lease. At the Landlord's sole discretion, the reimbursement for perennial crop seed may be credited against the final cash rent payment due from Tenant.~~

~~-OR-~~

~~**CROP SHARE RENT~~

~~Rent is based on the following crop share arrangement as follows:~~

- ~~1. Alfalfa, grass and other forage crops harvested mechanically:~~

Attachment: Cropland Policy Memo Packet for POSAC 18 November 2021 (7583 : Review of Proposed Cropland Policy Amendments)

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- ~~a. Crop Share:
Landlord receives One half (1/2) of the crops / Tenant receives One half (1/2) of the crops~~
- ~~b. Cost Share:
Seed 100% furnished by Landlord
Cost and application of Herbicide, Insecticide, Fertilizer and Pesticide
One half (1/2) Landlord / One half (1/2) Tenant
Mowing, Raking Tenant provides all
Baling, Stacking One half (1/2) Landlord / One half (1/2) Tenant~~
- ~~AND~~
- ~~2. Beans, corn, small grains, and other crops:~~
- ~~a. Crop Share:
Landlord receives One half (1/2) of the crops / Tenant receives One half (1/2) of the crops~~
- ~~b. Cost Share:
Seed 100% furnished by Landlord
Cost and application of Fertilizer, Herbicide, Insecticide and Pesticide
One half (1/2) Landlord / One half (1/2) Tenant
Harvest One half (1/2) Landlord / One half (1/2) Tenant~~
- ~~c. Freight expense:~~
- ~~a. within 5 miles of Leased Premises 100% Tenant~~
- ~~b. over 5 miles from Leased Premises One half (1/2) Landlord / One half (1/2) Tenant~~
- ~~c. Comparative freight expense deducted from price of feed crops purchased by producer.~~
- ~~d. Crop Residue:
Crop Share:
Landlord receives One half (1/2) of the crop residue / Tenant receives One half (1/2) of the crop residue
Cost Share:
One half (1/2) of expenses to Landlord / One half (1/2) of expenses to Tenant~~
- ~~OR~~
- ~~2. Beans, corn, small grains, and other crops:~~
- ~~a. Crop Share:
Landlord receives One third (1/3) of the crops / Tenant receives two thirds (2/3) of the crops~~

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~~b. Cost Share:~~

~~Seed 100% furnished by Tenant
 Cost and application of Fertilizer, Herbicide, Insecticide and Pesticide
 One third (1/3) Landlord / Two thirds (2/3) Tenant
 Harvest 100% furnished by Tenant~~

~~e. Freight expense:~~

- ~~1. within 5 miles of Leased Premises 100% Tenant~~
- ~~2. over 5 miles from Leased Premises One third (1/3) Landlord / Two thirds (2/3) Tenant~~
- ~~3. Comparative freight expense deducted from price of feed crops purchased by producer.~~

~~d. Crop Residue:~~~~Crop Share:~~

~~Landlord receives One third (1/3) of the crop residue / Tenant receives two thirds (2/3) of the crop residue~~

~~Cost Share:~~

~~One third (1/3) of expenses to Landlord / two thirds (2/3) of expenses to Tenant~~

AND/OR~~3. Sugar Beets:~~~~a. Crop Share:~~

~~Landlord receives One fourth (1/4) of the crops / Tenant receives Three fourths (3/4) of the crops~~

~~b. Cost Share:~~

~~Seed 100% furnished by Tenant
 Cost and application of Fertilizer One half (1/2) Landlord, One half (1/2) Tenant
 Cost and application of Herbicide, Insecticide and Fumigant One fourth (1/4) Landlord / Three fourths (3/4) Tenant
 Freight One fourth (1/4) Landlord / Three fourths (3/4) Tenant
 Harvest 100% furnished by Tenant~~

~~For any reimbursable crop share expense, Tenant shall submit to the Landlord, within sixty (60) days after incurred, written evidence of the cost of such expense. Any expenses incurred by the Tenant, not presented to the Landlord in the time allowed, shall be reimbursed only at Landlord's sole discretion.~~

~~****DO NOT REMOVE THE FOLLOWING PARAGRAPHS FOR CROP SHARE RENT****~~

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~~Tenant shall harvest the crop and deliver it to a mutually agreed upon market. Within 30 days after harvest, but in no event later than **November 15** of the applicable year of the Lease, Tenant must give Landlord production numbers and revenue totals. The only exception to this deadline shall be if, prior to November 15 of the applicable year, the Director of the Boulder County Parks and Open Space Department gives Tenant written approval to provide these figures after November 15. Upon completion of harvest, Tenant shall furnish Landlord with documentation confirming sale or storage of Landlord's share of the crop in Landlord's name. Remittance of sale proceeds or verification of stored crop is due within thirty (30) days of completion of harvest, but in no event later than **December 15** of the applicable year of the Lease or option, or the Director of the Boulder County Parks and Open Space Department may give written approval prior to December 15th of the applicable year as to the date the crop is marketed. Tenant reserves the right to purchase Landlord's share of the crops. If Tenant wishes to purchase the Landlord's share of crop, Tenant must inform Landlord of his/her/it's intentions to buy no later than 30 days after harvest. Total payment for this share of the crop must be paid in full by December 15th of each year to the Landlord.~~

~~Sale of Crop to Tenant:~~

~~Prices for the following crops shall be established as follows:~~

- ~~a. Alfalfa price will be determined at each cutting depending upon quality and prevailing market price~~
- ~~b. The price of corn silage will be determined at prevailing market price at time of sale, less a freight deduction of **** \$1.50 **** for each gross ton.~~
- ~~c. Shelled corn (including high moisture corn and other small grains) will be purchased at prevailing market price at harvest, less a freight deduction of **** \$ 0.20 **** per bushel (corn **** 56 lbs. ****).~~
- ~~d. Payment for feed crops purchased by Tenant will be according to paragraph 3 of the Lease.~~

~~Rent payment shall be satisfied upon receipt of sale proceeds from, or verification of storage of, Landlord's share, in Landlord's name. Landlord reserves the right to sell Landlord's portion of the crop at Landlord's discretion at any time during the Lease term. Proceeds or notice shall be mailed to the Attn: Accounts Receivable Department, Boulder County Finance, P.O. Box 471, Boulder, CO 80306.~~

~~**-OR-**~~

~~****RENT FOR GRAZING**~~

~~In addition to the Cash Rent, for crop not harvested mechanically and for crop after math that is grazed, the Tenant shall pay the Landlord rent equal to **** DOLLARS/CENTS (\$0.**) per animal unit equivalent per day ("AUD")**. The total rent owed for each year shall be established at the end of each grazing season by an accounting between the Landlord and the Tenant, hereinafter referred to as the "Final Accounting". Rent shall be paid as follows: The total rent payment shall be due 30 days after the Final Accounting for each grazing season, but in no event later than **December 15** of the applicable year of the initial term of the Lease. Thereafter the final rent payment during the term of any option shall be due 30 days after the Final Accounting for each grazing season throughout the term of any option but in no event later than **December**~~

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~~15 of the applicable year of the option. ****OR**** Thereafter, one half of the estimated annual rent shall be due on January 1 of each year during the term of any option, and the final rent payment shall be due 30 days after the Final Accounting for each grazing season throughout the term of any option but in no event later than December 15th of the applicable year of the option.~~

~~RENT OF YARDAGE~~

~~If any grazing on aftermath occurs whereby animals are provided with feed not grown on the Leased Premises, Tenant shall pay the Landlord FIVE CENTS (\$0.05) per AUD~~

~~****KEEP THE FOLLOWING SENTENCE EVEN IF YOU DELETE GRAZING PARAGRAPH****~~

~~****IF ANY PORTION OF THE LEASED PREMISES ARE ACTIVELY UNDER ORGANIC CROP CERTIFICATION, USE THIS PARAGRAPH****~~

~~ORGANIC CERTIFICATION~~

~~For acreage in transition from conventional to organic production methods, with prior written agreement of Landlord, Tenant's rent will be reduced by 50% for each of the three years of the organic certification process. In the event Tenant receives organic certification after the three-year certification process, Landlord will pay any certification fees for the initial year following certification, if those fees are not otherwise paid for by other incentive programs. In the County's discretion, the Lease may be extended for an additional two years beyond the term described in paragraph 2 of this Lease, if certification is obtained within the term of the Lease.~~

~~Rent is due by 4:30 p.m. on the specified date by mail to the Boulder County Finance Department, Attn: Accounts Receivable, P.O. Box 471, Boulder, Colorado 80306.~~

~~4. LATE PAYMENTS~~

~~If any of the payments for ****cash rent, rent for grazing, crop share rent and/or water assessments**** or any other payments due under this Lease are more than thirty (30) days past due, the balance due and owing shall begin to accrue interest after 4:30 p.m. on the due date at a rate of 1.5 percent per month. Tenant may not exercise any option to renew the Lease if Tenant is not current with rental payments at the time Tenant gives notice of intent to exercise the option.~~

~~5. USE~~

~~Tenant shall use the Leased Premises for the purpose of agricultural production.~~

~~6. WATER RIGHTS~~

~~Tenant acknowledges that there are no water rights available for irrigation of the Leased Premises.~~

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~~-OR-~~

~~Tenant acknowledges that the following irrigation water rights are owned by the Landlord and available to Tenant for agricultural use:~~

~~_____ shares of the _____ Ditch Company water.~~

~~The irrigation water is to be used for irrigation of the Leased Premises only. Landlord shall be responsible for payment of water assessments for this/these share/s. ** Tenant agrees to reimburse Landlord for payment of the water assessments as invoiced by Landlord. Payment shall be made within 30 days from the date of receipt of Landlord's invoice **. Tenant acknowledges that Landlord makes no guaranty or representation as to the amount or quality of water any shares or other interest in a water right(s) will provide. Tenant shall be responsible for acquisition of, and payment for additional rental water to be used on the Leased Premises, including ditch carrying charges resulting from such rental. **USE THE FOLLOWING SENTENCE FOR CROP SHARE OR GRAZING LEASES ONLY** On rare occasions, Landlord may participate in purchase of rental water, but only after prior written agreement is given by the Director of the Boulder County Parks and Open Space Department, based on a determination that the additional water will add considerable yield to the property. Additionally, if pumping is necessary for irrigation, the Tenant shall be responsible for any utility charges or fuel to pump water associated with any system. Tenant further agrees to provide County with an irrigation schedule that provides a record of quantities of irrigation water used, and of starting and ending dates of annual irrigation.~~

~~-OR-~~

~~If a center pivot system is included with the Lease, Tenant shall be responsible for all labor charges for general annual repairs and maintenance and Landlord shall be responsible for all parts charges for general annual repairs and maintenance on such system. Landlord shall be responsible for major repair costs of the pivot sprinkler, such as pump replacement and/or repair of other major components, provided there has been no negligence in performing annual repairs, maintenance, and operation of said system on the part of the Tenant.~~

~~7. PROPERTY MANAGEMENT~~

~~Tenant shall manage the Leased Premises consistent with a Soil and Water Conservation Plan as prepared and approved by the **Longmont OR Boulder Valley** Conservation District, or their successors, in cooperation with the Natural Resource Conservation Service, hereinafter referred to as "NRCS", which Plan shall be current during each Lease period. Tenant shall file and certify acreage with the Boulder County Consolidated Farm Service Agency, and maintain and submit production, fertilizer and chemical application records as required by the federal government, or as required hereunder. Tenant shall be held responsible and accountable for any degradation to the land and/or ecological integrity of the area as a result of failure to adhere to any of the requirements under the terms of the Soil and Water Conservation Plan. Such failure by Tenant shall be grounds for termination of the Lease.~~

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~~Tenant shall also assist Landlord in developing an annual, written agricultural ** management plan and an annual, written integrated weed management plan prior to each growing season. As the growing season progresses, the plans may be modified as conditions, such as weather, vary. Tenant agrees to implement management according to these plans, and to any modifications made to the plans by the Landlord.~~

~~Tenant shall take all measures necessary to prevent pollutants from entering storm drains of watercourses. For the purpose of eliminating stormwater pollution, Tenant shall implement effective Best Management Practices (BMPs). BMPs include general good housekeeping practices, appropriate scheduling of activities, operational practices, maintenance procedures and other measures to prevent then discharge of pollutants directly or indirectly to the storm drain system. These BMPs shall be maintained for the duration of the Tenant's lease. Tenant shall also be responsible for proper disposal of all waste materials, including wastes generated by the implementation of BMPs.~~

~~Tenant shall comply with all of the terms set forth in the current protocols for genetically modified crops to be grown on Boulder County Parks and Open Space. Current copies of the protocols will be kept on file with the County's Agricultural Operations office and are available for inspection and copying during normal business hours.~~

~~**USE THIS PARAGRAPH ONLY IF GRAZING**~~

~~The vegetation on the Leased Premises shall not be over grazed. Grazing shall occur only if adequate forage is available. Landlord will monitor grazing and the natural resources impacted by grazing. Such natural resources shall include but not be limited to soils, vegetation, water, and wildlife. Landlord has authority to require Tenant to make any adjustments with respect to grazing. Any adjustments required by Landlord shall be executed by Tenant within the time period required by Landlord. If Tenant fails to do so, Landlord may remove grazing animals and Tenant shall be responsible for any expenses incurred as a result of such removal. Tenant shall be held responsible and accountable for any damage to pasture and ecological integrity of the area as a result of failure to adhere to any of Landlord's requirements under the terms of the Management Plan. Such failure by Tenant shall be grounds for termination of the Lease.~~

~~8. RENEWAL~~

~~(**use this clause for everything except dryland crops.**)~~

~~If Landlord elects to renew the Lease beyond the Tenant's second option to renew, and Tenant is in compliance with all the terms of the Lease, including all rental payments due, Landlord shall notify Tenant of the renewal terms, in writing, on or before July 31 of the year of the last option. Tenant shall have fifteen (15) calendar days from the receipt of said notice to accept or reject, in writing, a renewal of the Lease.~~

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~~If Landlord and Tenant do not agree to renew this Lease for any cause, Landlord, or its agent, may enter the Leased Premises after Tenant has harvested the then-current crop, in order to begin preparatory work for future crops.~~

~~(**use this clause for dryland crops.**)~~

~~If the parties do not agree to renew this Lease for any cause on or before March 31 of the last year of the Lease term or option, Tenant shall not begin summer fallow preparations or any other work preparatory for future crops. Additionally, Landlord or any agent of the Landlord, may enter upon the Leased Premises after March 31 or after harvest of current year crop for fallowing operations and also after harvest of current year crop in order to begin preparatory work for future crops.~~

~~9. REMOVAL OF PERSONAL PROPERTY~~

~~Tenant shall have the duration of the Lease term to remove all of Tenant's personal property from the Leased Premises, unless Landlord terminates this Lease as provided in Paragraph 18 of this Agreement. Tenant agrees that any personal property of Tenant remaining on the Leased Premises after the end of the Lease term, or termination of the Lease, shall be deemed abandoned by Tenant and Landlord shall have the right to dispose of any such personal property in any manner Landlord deems appropriate. Tenant will be liable for any disposal costs incurred by Landlord.~~

~~10. DELIVERY OF POSSESSION~~

~~The Tenant shall be entitled to possession of the Leased Premises at 7 a.m. on the date of commencement of the Lease term.~~

~~11. TERMINATION~~

~~This Lease shall terminate at the end of the Lease term or, if an option has been exercised, at the end of the option period, unless a new Lease for a new term, is executed by both parties. This Lease shall also terminate upon Tenant's death. Additionally, the Landlord may terminate this Lease pursuant to the provisions of Paragraph 18 contained herein.~~

~~**USE THIS PARAGRAPH IF THERE IS A POSSIBILITY THAT THE TENANT OWNS A HOMESTEAD ON THE PROPERTY AND SELLS TENANT'S PROPERTY DURING THE TERM OF THIS LEASE**~~

~~In the event Tenant owns property adjacent to the Leased Premises ("Tenant's Property"), Landlord may terminate this Lease if Tenant sells the Tenant's Property to a third party. In the event Tenant sells the Tenant's Property to a third party prior to the expiration of this Lease, Tenant shall provide written notice to Landlord of such sale no less than thirty (30) days prior to the date of sale. Landlord reserves the right to terminate the Lease and negotiate a new lease with the new owner or lease the property to a new tenant, at Landlord's sole discretion. Tenant~~

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~~may remain in possession of Leased Premises after the sale for up to 30 days, but must remove all personal property within that time period.~~

~~Tenant agrees to reside within thirty miles of the borders of Boulder County. In the event Tenant moves beyond the 30 miles from any Boulder County border, County may, at its sole discretion, terminate the Lease.~~

~~12. HOLDOVER~~

~~If Tenant holds over after the expiration or termination of this Lease agreement, Tenant shall occupy the Leased Premises on a month-to-month basis at a rental rate and rental terms to be specified by the Landlord unless a new Lease, for a new term, is executed by both parties within thirty (30) days of the termination of this Lease.~~

~~13. INSURANCE REQUIREMENTS~~

~~Tenant shall purchase, maintain and keep current, at Tenant's own expense, the following insurance coverage:~~

~~a. A Commercial General Liability Insurance or Farmer's Liability Insurance Policy with minimum limits of \$600,000.00 combined single limit for each occurrence and for each occurrence resulting from the current agricultural operations on the Leased Premises.~~

~~(**If the Leased Premises are subject to significant public contact:)~~

~~**b. Automobile Liability Insurance. Tenant shall purchase Automobile Liability Insurance which includes coverage for all owned, non-owned, and hired vehicles with a minimum limit of \$600,000.00 combined single limit for each occurrence and for each occurrence resulting from the current agricultural operations on the Leased Premises~~

~~-OR-~~

~~(**If the Leased Premises are subject to minimal or no public contact:)~~

~~**b. Automobile Liability Insurance. Tenant shall purchase Automobile Liability Insurance which includes coverage for all owned, non-owned, and hired vehicles with a statutory minimum limit, combined single limit for each occurrence and for each occurrence resulting from the current agricultural operations on the Leased Premises~~

~~e. An umbrella liability policy (also referred to as excess umbrella liability) may be used to provide additional commercial general liability, auto liability, and employer's liability coverage to meet the County's minimum requirements. When excess umbrella liability is used, coverage should be as broad as the primary coverage.~~

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~~Tenant shall provide Certificate(s) of Insurance annually to Boulder County demonstrating that the aforementioned insurance requirements have been met prior to the commencement of work under this Lease, and that such policy or policies will be in effect throughout the Lease term, and at such times before and after the Lease term as Tenant may reasonably expect to be conducting activities within the Leased Premises. **COMMERCIAL GENERAL LIABILITY CERTIFICATE OF INSURANCE OR FARMER'S LIABILITY CERTIFICATE OF INSURANCE SHALL INDICATE, "THE COUNTY OF BOULDER, STATE OF COLORADO, A BODY CORPORATE AND POLITIC, AS ADDITIONAL NAMED INSURED."**~~

~~These Certificates of Insurance shall also contain a valid provision or endorsement that these policies may not be canceled or terminated without 30 days written notice to the County, such notice to be transmitted by certified mail, return receipt requested.~~

~~If Tenant does make any change or modification to these policies, Tenant is required to give Landlord a 30 day written notice after such change or modification.~~

~~The Certificate Holder is "BOULDER COUNTY." Certificates of Insurance should be forwarded to:~~

~~Boulder County
Attn: Lease Coordinator
5201 St. Vrain Road
Longmont, Colorado 80503~~

~~It shall be Tenant's obligation to procure Workers' Compensation and Employers' Liability Insurance, if applicable in complying with the provisions of the Workers' Compensation Act of the State of Colorado, as amended.~~

~~14. CONDITION OF PROPERTY~~

~~Prior to signing this Agreement, Tenant has inspected or caused to be inspected the Leased Premises and takes the Leased Premises in the condition AS IS. No additional representation, statement or warranty, express or implied, has been made by or on behalf of Landlord as to such condition. In no event shall the Landlord be liable for any defect in such Leased Premises or for any limitation on its use as agricultural land.~~

~~15. TENANT COVENANTS AND RESPONSIBILITIES~~

~~Tenant shall abide by, and shall assure compliance by Tenant's guests and invitees with all Boulder County Parks and Open Space Rules and Regulations as those Rules and Regulations may be amended, including the following:~~

- ~~a. Tenant shall allow the Landlord access to the agricultural Leased Premises at all times.~~

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- ~~b. Tenant shall only allow odors, fumes, vibrations and noise on and from the Leased Premises which are commensurate with the normal conduct of agricultural operations.~~
- ~~e. All chemical pest control employed on the Leased Premises shall be in accordance with federal, state or local statute, ordinance, resolution, rule or regulation.~~
- ~~d. Tenant shall maintain all fences which confine livestock within the Leased Premises.~~
- ~~e. Tenant shall prevent deterioration beyond normal wear and tear of the Leased Premises and existing structures during the term of this Lease and implement management practices, as described in Paragraph 7 herein, to maintain and conserve the soil and water.~~
- ~~f. Tenant shall confer with Landlord annually on capital improvements needed for the Leased Premises as well as scheduling routine maintenance.~~
- ~~g. Subject to County Rules and Regulations, Tenant shall burn, clean, dredge and generally maintain in a serviceable condition, all ditches, including wasteways, related to the Leased Premises. Any maintenance requiring hired machinery will require the prior, written consent of Landlord, and shall be paid for by Landlord.~~
- ~~h. Tenant shall properly place, store, use or dispose on the Leased Premises, temporarily or permanently, only those substances legally permitted to be used on the Leased Premises, and which are approved by Landlord. Such substances shall include fuel products that are hazardous, toxic, dangerous or harmful or which are defined as a hazardous substance by the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA") 42 USC 9601. These substances shall be referred to collectively as "hazardous substances". Tenant shall immediately notify Landlord by phone or facsimile and in writing, of all spills, releases, inspections, correspondence, orders, citations, notices, fines, response and/or cleanup actions, and violations of law, regulations or ordinances which affect the Leased Premises.~~
- ~~i. Non-agricultural vehicular travel is restricted to existing roads.~~
- ~~j. Tenant agrees there shall be no construction of any structure, building or other improvement on the Leased Premises without Landlord's prior written approval.~~
- ~~k. Tenant shall indemnify and save harmless Landlord from and against any and all claims, suits, actions, damages and causes of action arising during the term of this Lease, or any period during which Tenant's personal property remains on the Leased Premises, for personal injury, loss of life, or damage to property sustained in, or upon the Leased Premises or arising out of the use of the Leased Premises,~~

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~~and from and against all costs, attorneys fees, expenses and liabilities incurred in and about any such claims, the investigation thereof or the defense of any action or proceedings brought thereon, and from any judgments, orders, decrees, or liens, resultant therefrom by virtue of the use of the Leased Premises. By requiring this right to indemnification, the Landlord in no way waives or intends to waive the limitations on liability which are provided to the Landlord under the Colorado Governmental Immunity Act, C.R.S., Sections 24-10-101, et seq.~~

- ~~l. Tenant agrees that Tenant shall not permit any mechanic's lien to be perfected or remain against the Leased Premises. Tenant shall not directly or indirectly create, incur, assume or suffer to exist any mortgage, pledge, lien, charge, encumbrance or claim on or with respect to the Leased Premises.~~
- ~~m. Tenant agrees that Tenant shall not assign, convey, devise, sublet, pledge or mortgage any of Tenant's interest herein without the prior written consent of the Landlord thereto, which consent shall be in the absolute discretion of the Landlord. Landlord reserves right to terminate any sub-lease at anytime at Landlord's sole discretion. This shall not preclude Tenant from using Tenant's share of the crop for collateral for an operating loan.~~
- ~~n. Tenant agrees the Leased Premises shall not be used for any purposes prohibited by the laws of the United States or the State of Colorado or the ordinances or resolutions of the County of Boulder.~~
- ~~o. Tenant agrees to deliver up and surrender to the Landlord, possession of said Leased Premises at the expiration or termination of this Lease, by lapse of time or otherwise.~~
- ~~p. No public access or recreational use of the Property can be authorized by the Tenant.~~
- ~~q. It shall be unlawful for any unauthorized person, to remove, destroy, mutilate, collect or deface any natural or man-made object on the Property.~~
- ~~r. It shall be unlawful for any person or domestic animal to feed, hunt, pursue, trap, molest, disturb or kill any wildlife at any time on the Property, except where and when such activities are permitted by action of the Board of County Commissioners or by written permission from the Director of the Parks and Open Space Department. This provision shall not apply to any county, state or federal government personnel authorized by the Board of County Commissioners to carry out a wildlife management program through law or County approved rules and regulations.~~
- ~~s. Ground fires are unlawful. Exceptions to the ground fire prohibition may be allowed only with written permission from the Board of County~~

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~~Commissioners or the Director of the Parks and Open Space Department and are subject to the burning requirements for Boulder County.~~

- ~~t. It shall be unlawful to dispose of trash, garbage, rubbish, litter or debris on the Property.~~
- ~~u. Under no circumstance may hazardous materials be deposited on the Property.~~
- ~~v. It shall be a violation of this Lease for any person, acting individually or on behalf of a business or organization, to use the Property for any commercial purpose (such as a staging area for a bicycle race, filming movies or commercials; riding activities of a commercial horse stable, riding school or livery) without first obtaining written permission from the Landlord. The only exception to this prohibition against commercial activities on the Leased Premises is that agricultural products produced by Tenant may be sold on the Leased Premises, after approval by the Boulder County Parks and Open Space Department, so long as the sale is conducted in accordance with the provisions of the Boulder County Land Use Code.~~
- ~~w. It shall be unlawful to take off or land any motorized or non-motorized aircraft within the Property; aircraft includes but is not limited to: airplanes, helicopters, ultralights, gliders/sailplanes, and hot air balloons.~~

~~16. EASEMENTS AND LICENSES~~

~~Notwithstanding any other provision of this Lease agreement, Tenant accepts this Lease agreement subject to all existing easements and licenses of record held by third parties and acknowledges that Landlord retains the right, in its sole discretion, to grant easements or licenses to third parties for entry upon and or use of a portion of the Property by the third party and or its agents during the term of this Lease agreement. In the event that a third party, acting pursuant to an easement or license, damages the Property or Tenant's crops and or Tenant's personal property, Landlord will restore the Property to its prior condition and/or compensate Tenant for the fair market value of any damage to such crop and or Tenant's personal property.~~

~~17. NOTICES~~

~~Any notice from one party to another, required by the terms of this Lease agreement, may be delivered in person to such party (delivery to one of two or more persons named as a party shall be effective notice to all), or shall be delivered by first class mail, postage prepaid, and shall be deemed given one (1) day after the date mailed, addressed to the respective parties as follows:~~

~~Landlord:
Boulder County Parks and Open Space Department~~

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~~5201 St. Vrain Road
Longmont, Colorado 80503
303-678-6226 phone no. provided for informational purposes only.~~

~~Tenant:~~

~~**~~

~~**~~

~~303- phone no. provided for informational purposes only.~~

18. BREACH

~~The Tenant agrees to observe and perform the conditions and agreements herein set forth to be observed and performed by the Tenant. If Tenant defaults in the payment of rent, or any part thereof, or if the Tenant shall fail to observe or perform any conditions or agreements set forth in this Agreement, Landlord shall give Tenant written notice that Tenant has fifteen (15) days to cure such breach. If Tenant fails to commence within said fifteen day period, a course of performance to cure such default and thereafter to diligently pursue the work required to correct it, then, and in that event, and as often as the same may happen, it shall be lawful for the Landlord, at its election, to terminate this Lease and to re-enter and repossess itself of the Leased Premises, with or without legal proceedings, using such force as may be necessary, and to remove therefrom any livestock, crops and any personal property belonging to the Tenant without prejudice to any claim for rent or for the breach of covenants hereof, or without being guilty of any manner of trespass or forcible entry or detainer. Tenant agrees to indemnify and hold harmless the Landlord from and against any costs for the removal and storing of livestock and crops elsewhere incurred by the Landlord under the provisions of this paragraph.~~

19. JOINT AND SEVERAL LIABILITY

~~If this Lease is signed on behalf of Tenant by more than one person, the liability of the persons so signing shall be joint and several.~~

20. MISCELLANEOUS PROVISIONS

~~Tenant's rights under this Lease are personal to Tenant and the Lease shall terminate upon the Tenant's death, unless Landlord elects, in writing, to permit assignment to a third party.~~

~~Time is of the essence of this Lease and of all provisions herein.~~

~~If any provisions of this Lease shall be declared invalid or unenforceable, the remainder of the Lease shall continue in full force and effect.~~

~~Notwithstanding anything to the contrary contained herein, Landlord's liability under this Lease shall be limited to Landlord's interest in the Leased Premises.~~

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21. ~~PAYMENT OF ATTORNEY'S FEES AND COSTS~~

~~If the Landlord shall commence an action for collection of rent or other sums payable under this Lease, or to compel performance of any of the terms or conditions of this Lease, or for damages for failure of Tenant to perform under this Lease, the Landlord shall collect from the Tenant and Tenant shall pay to the Landlord all reasonable attorney's fees in respect thereof, unless the Landlord shall lose such action, in which case Landlord shall pay Tenant's reasonable attorney's fees and costs.~~

22. ~~VENUE~~

~~This Lease shall be governed by the laws of the State of Colorado. Venue for any action brought under this Lease shall be the Boulder District Court.~~

23. ~~ENTIRE AGREEMENT~~

~~This Lease contains the entire agreement of the parties and may not be altered or amended except by mutual written agreement signed by both parties.~~

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~~IN WITNESS WHEREOF~~, the parties hereto have executed this Lease on the date set forth opposite their respective signatures.

LANDLORD

~~COUNTY OF BOULDER, a body
corporate and politic~~

By: _____
Ronald K. Stewart, Director
Boulder County Parks
and Open Space Department
Date _____

ATTEST:

Clerk to the Board

TENANT

Tenant's name
Date _____

Attachment: Cropland Policy Memo Packet for POSAC 18 November 2021 (7583 : Review of Proposed Cropland Policy Amendments)

Boulder County POS Cropland Policy

~~Appendix 3: Bid Process~~~~Bid process for Agriculture leases~~

~~**PURPOSE:** To select a tenant for an agricultural property on a competitive basis that complies with Boulder County's public process.~~

~~**SCOPE:** This SOP applies to POS Ag employees, Ag Lease Coordinator, Admin Division Manager, Director.~~

~~**GENERAL:** The bid process provides a consistent process and standard in awarding agricultural leases to tenants.~~

~~SUMMARY OF PROCEDURE~~

Step	Action	Responsibility
1	Identify properties that need to go out to bid. A. From recent acquisition. B. Existing Ag properties with maturing leases.	Ag Lease Coordinator Ag Resource Specialist
2	Review existing terms (crop share or cash lease) to evaluate and make recommendation.	Ag Team
3	Set timeframes for advertising, bid closing, and selection.	Ag Team Purchasing Coordinator
4	Describe property attributes that will be advertised for bid package.	Ag Team Purchasing Coordinator
5	Advertising and notification to interested parties.	Ag Team
6	Host pre-bid meeting and site visit.	Ag Team
7	Follow up on any additional questions or comments.	Ag Team Purchasing Coordinator
8	Receive and evaluate all bid packets.	Ag Team Invited outside experts as needed
9	Schedule for BOCC awarding of bid and notify successful bidder.	Ag Lease Coordinator Ag Resource Specialist
10	Write lease and forward for signatures.	Ag Lease Coordinator Ag Resource Specialist

Changes to Appendix 3:

- Out of date Bid Process removed.
- A current Bid Process is available on the BCPOS website.

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EVALUATION CRITERIA

~~The following criteria will be used to evaluate proposals and award leases based on the ability of prospective tenant to provide the best stewardship of the property:~~

- ~~1. Please describe the operation you propose for this property with as much detail as possible. Please include practices that conserve soil, water, and other resources.~~
- ~~2. Please describe your proposed Crop Production:(Crops raised, tillage, irrigation)~~
- ~~3. Please submit other details of your management not included above:~~
- ~~4. If you are currently involved in other agricultural enterprises, briefly describe the operation(s). Include general locations.~~
- ~~5. How will the Boulder County agricultural land you are proposing to lease, fit in with the rest of your operation?~~
- ~~6. Please describe your agricultural background.~~
- ~~7. Please list the machinery and equipment needs for your planned operation on the property and how you will meet those needs. (Own, lease, borrow, hire custom, etc.)~~
- ~~8. Describe how you will meet the labor demands for the proposed operation. Are you involved in your agricultural enterprises on a full time basis? If not, what percentage of your time is dedicated to agricultural pursuits?~~
- ~~9. Please provide personal references that are familiar with your agricultural experience.~~
- ~~10. If you plan to manage an organic operation, please describe your experience in organic production.~~

~~Proposals will be evaluated by a committee consisting of staff from the Parks and Open Space Department and the CSU Cooperative Extension Service. The committee recommendation will then be presented to the Board of County Commissioners for approval~~

~~VERIFICATION AND RECORD KEEPING:~~ ~~The agriculture lease bid process mirrors the Boulder County purchasing process. Any changes to the County purchasing process would be reflected in the Ag lease bid process.~~

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~~DATE IMPLEMENTED:~~ _____ ~~BY:~~ _____

~~SOP REVIEW TEAM:~~ _____

~~DATE REVIEWED:~~ _____ ~~BY:~~ _____

~~DATE REVISED:~~ _____ ~~BY:~~ _____

Attachment: Cropland Policy Memo Packet for POSAC 18 November 2021 (7583 : Review of Proposed Cropland Policy Amendments)

Boulder County POS Cropland Policy

~~Appendix 4: Education and Outreach~~~~Agricultural Resources Education and Outreach Standard Operating Procedure (SOP)~~~~(Draft)~~

~~**PURPOSE:** This SOP outlines how the Ag Resources Division will provide the citizens of Boulder County education and outreach opportunities to learn more about agriculture and its importance to the county.~~

~~**SCOPE:** This SOP applies to POS Ag employees, specifically Ag Resource Specialist in charge of education and outreach opportunities.~~

~~**GENERAL:** Agriculture has been an important piece of Boulder County, socially and economically for many years. Increasingly in today's society people are unaware of where their food comes from, who is growing it and what is being produced right down the road. The Ag Resources E&O program will help bridge this gap and give people the opportunity to get out on the BCPOS ag lands, meet the local farmers and see what the crops look like. The program may include ag tours, booth at the county fair & farmers' market and school and special interest group presentations. The Ag Resources E&O will work in collaboration with the Natural Resource Management Education and Outreach staff.~~

~~SUMMARY OF PROCEDURE~~

Step	Action	Responsibility
1	Prepare yearly E&O plan (Jan.)	Ag Team Member
2	Review and comment (Jan.)	Ag Team at a regularly scheduled team meeting
3	Review plan with BCPOS E&O Staff	Ag Team Member
4	Update booth and presentation (Jan./Feb.)	Ag Team Member
5	Attend/Present at Our Lands To Your Hands Event for Fourth Graders (NRCS/Conservation Districts) (Feb.)	Ag Team
6	Plan and implement 2 public Ag Tours (May to Sept.)	Ag Team
7	Schedule (contact market manager) and display at Farmers' Markets in Boulder and Longmont. At least 2 markets at each location.	Ag Team Member (2)
8	Update brochures and print material annually.	Ag Team Member
9	Continually update Ag Resources page on the Boulder County website. (work with Web Specialist)	Ag Team Member

Changes to Appendix 4:
- Draft Standard Operating Procedures removed.

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~~VERIFICATION AND RECORD KEEPING:~~

~~SOPs will be reviewed by the SOP team in January of each year. This Team will report back to the Ag Team by the second week in February to make recommendations for revisions, removals or new SOPs.~~

~~DATE IMPLEMENTED: _____ BY: _____~~

~~SOP REVIEW TEAM: _____~~

~~DATE REVIEWED: _____ BY: _____~~

~~DATE REVISED: _____ BY: _____~~

Attachment: Cropland Policy Memo Packet for POSAC 18 November 2021 (7583 : Review of Proposed Cropland Policy Amendments)

Boulder County POS Cropland Policy

~~Appendix 5: Boulder County POS Good Neighbor Policy~~

~~Boulder County Parks and Open Space shall establish the Good Neighbor Policy to assist farmers of Open Space properties in resolving conflicts arising from common practices and practices specific to a lessee's operations. Parks and Open Space will provide a venue for sharing information on the standards and policies for farming on Open Space and provide a method and venue for mediating disputes arising out of the interaction among farms and with residential areas. BMPs shall include but not be limited to:~~

- ~~• The policy driving any types of crops grown on Boulder County Open Space shall be based on co-existence and good neighbor policies.~~
- ~~• Farmers shall have the right to grow crops by any allowable county approved method of their choice. Farmers shall implement best management practices. Farmers shall minimize negative effects on the environment, and shall alleviate pests such as weeds, disease, and insects that negatively affect their crops.~~
- ~~• Irrigators have a right to irrigate and maintain the infrastructure required to irrigate farmland.~~
- ~~• Good communication among farmers and with neighbors can help avoid or minimize problems arising from farming practices.~~
- ~~• Farmers shall observe planting and growing protocols that preserve the identity of hybrid, organic, genetically engineered, and other types of specific crops.~~
- ~~• Crops and production methods used to grow crops on Boulder County Open Space should be employed with the goal of minimizing any detrimental environmental impacts.~~
- ~~• BCPOS shall assemble and maintain a list of qualified professionals such as those employed by the USDA Agricultural Mediation services to mediate disputes concerning farming operations on Open Space land.~~
- ~~• Open Space lessees must adhere to all Boulder County Parks and Open Space policies and best management practices as outlined in the lease agreement. Farmers must strictly adhere to all additional requirements for specific crops, cropping systems, or practices.~~

Changes to Appendix 5:

- Draft Policy removed.
- Current Good Neighbor Guidelines will be housed on the BCPOS website.

~~Appendix 6: Soil Health and Quality~~~~Soil Health and Quality Standard Operating Procedure
(Draft)~~

~~**PURPOSE:** Soil health and quality are vital to the long term success of farming in Boulder County and specifically on Boulder County Parks and Open Space properties. These practices and procedures outline the way in which Agricultural Resources staff will administer a soil management program.~~

~~**SCOPE:** This SOP applies to POS Ag employees.~~

~~**GENERAL:** In order to effectively manage 25,000 acres of publicly owned agricultural lands, the Agricultural Resource Division of the Boulder County Parks and Open Space Department works with qualified farmers and ranchers through our lease program. Because the protection of soil and water is so critical to the long term success of the agricultural program, strict requirements for good conservation practices are a requirement of the lease. While every property has the same requirements, no two properties or operations are the same, thus practices and actions vary depending on the situation.~~

~~SUMMARY OF PROCEDURE~~~~Management Practices:~~

- ~~• Conservation Tillage: strip till, no till~~
- ~~• Leaving Crop Residue: reduces wind erosion, adds organic material to soil~~
- ~~• Cover Crops~~
- ~~• Modifying the direction of planting: reduces wind and water erosion~~
- ~~• Timing of plowing~~
- ~~• Use of Polyacrylamide (PAM): reduces seepage and minimizes soil erosion~~
- ~~• Use of efficient water delivery systems: gated pipe, overhead sprinklers, center pivots, drip irrigation~~
- ~~• Soil amendments: manures, compost, numerous other amendments~~
- ~~• Buffers: land buffers, grass waterways~~

~~Monitoring Practices~~

- ~~• While self policing may seem rather laissez faire, the impact of not maintaining soil and water quality directly impacts the tenant's economic viability and they are vigilant to minimize the loss of these resources.~~
- ~~• The NRCS performs site visits to assure that plans are being followed.~~
- ~~• In addition to frequent property visits for routine operation and maintenance needs, the Parks and Open Space Staff perform annual site visits to review operating plans.~~
- ~~• We rely upon adjacent producers and neighbors for information on practices that may cause negative water quality or soil impacts.~~

~~**Enforcement Practices.** If it is determined through one of the monitoring mechanisms that soil or water is being degraded one or more of the following actions will be taken.~~

Changes to Appendix 6:
- Draft Standard Operating Procedures removed.

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- ~~The tenant will self correct. Typically the operator has the tools and experience to mitigate the problem.~~
- ~~Staff will work with the tenant to correct the problem.~~
- ~~Staff will utilize the experience of other agencies such as NRCS to help develop a plan to mitigate the problem.~~
- ~~If the land in question cannot be farmed without unacceptable impacts, it may be taken out of production.~~
- ~~Ultimately if a tenant is not willing to work with staff or follow the recommendations to correct the problem, the lease will be terminated.~~

~~**VERIFICATION AND RECORD KEEPING:** *Provide documentation to assure that the SOP is valid, up to date and there is accountability.*~~

~~SOPs will be reviewed by the SOP team in January of each year. This Team will report back to the Ag Team by the second week in February to make recommendations for revisions, removals or new SOPs.~~

~~**DATE IMPLEMENTED:** _____ **BY:** _____~~

~~**SOP REVIEW TEAM:** _____~~

~~**DATE REVIEWED:** _____ **BY:** _____~~

~~**DATE REVISED:** _____ **BY:** _____~~

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~~Appendix 7: Strategic Integrated Pest Management~~~~Strategic Integrated Pest Management Standard Operating Procedure~~~~Boulder County Parks and Open Space~~

~~Integrated Pest Management is a sustainable approach that combines the use of prevention, avoidance, monitoring and suppression strategies in a way that minimizes economic, health and environmental risks (CSREES/Land Grant University 1998). Boulder County Park and Open Space Agricultural Resources Integrated Pest Management Guidelines shall consider all available tools and strategies available for effective use of managing pests in regards to their economic, environmental and social consequences. The goals of the IPM Guidelines are to:~~

- ~~➤ Establish procedures for assuring that the latest pest management research and innovative management techniques that may increase effectiveness and/or decrease environmental impacts are incorporated into pest management decisions.~~
- ~~➤ Use the safest effective practices whenever economically feasible.~~
- ~~➤ Establish monitoring programs and evaluated criteria to measure control success.~~
- ~~➤ Establish and maintain pesticide use reporting and record keeping.~~
- ~~➤ Develop procedures for allowing public input without disruption of the overall program.~~

**Changes to Appendix 7:
- Draft Standard Operating Procedures removed.**

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~~Appendix 8: Biosolids Standard Operating Procedures~~~~**Biosolids Standard Operating Procedure**~~~~(Draft)~~

~~**PURPOSE:** To maintain or improve the quality of agricultural lands while allowing for the beneficial use of biosolids.~~

~~**SCOPE:** This SOP applies to:~~

- ~~1. The review process for biosolids applications on BCPOS lands~~
- ~~2. The use of biosolids on BCPOS agricultural lands~~
- ~~3. Monitoring of biosolids practices on BCPOS lands~~
- ~~4. Corrective actions~~

~~**GENERAL:** The term “biosolids” refers to domestic sewage sludge that has been processed and can be beneficially applied to land in order to improve soil productivity. Biosolids are used on farms, reclamation sites, parks, and home gardens as a supplement to fertilizers and soil conditioners. Approximately 80-85% of the biosolids produced by Colorado municipal wastewater treatment plants are applied to land for beneficial use. There are currently more than 500 sites that have been issued permits by the Colorado Department of Public Health and Environment (CDPHE) for land application. There are approximately 32 permitted sites in Boulder County, six of which are located on Boulder County Parks and Open Space (BCPOS) agricultural lands.~~

~~Regulations governing the beneficial use of biosolids in Colorado exist at the federal and state levels. As a requirement of the Clean Water Act Amendments of 1987, the Environmental Protection Agency (EPA) developed the Federal 40 CFR Part 503 Technical Regulations for the safe use and disposal of biosolids. The goal of these regulations is to encourage beneficial use. The regulations specify ceiling concentrations and cumulative loading rates for metals in biosolids that are applied to land. The regulations also include pathogen and vector reduction requirements.~~

~~In February 1994, following publication of the federal regulations and in order to achieve consistency with the federal regulations, the State of Colorado reissued its biosolids regulation. Colorado’s Regulation #64 was most recently revised in January 2008, and states: “The purpose of these regulations is to establish requirements, prohibitions, standards, and concentration limitations on the use of biosolids as a fertilizer and/or organic soil amendment in a manner so as to protect the public health and prevent the discharge of pollutants into state waters.”~~

Changes to Appendix 8:

- Draft Standard Operating Procedures removed.

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~~**SUMMARY OF PROCEDURE:** Parks and Open Space staff shall require that the land application of all biosolids on BCPOS property is performed in compliance with State and local health department policies, as well as any additional guidelines set by Parks and Open Space.~~

~~**INSTRUCTIONS:**~~

~~**1. Permitting**~~

- ~~a) State: All applications must first be approved by the Colorado Department of Public Health and Environment.~~
- ~~b) Boulder County Health Department: BCHD will review all CDPHE approved applications to evaluate the certainty of which regulation 64 will be met at the proposed site. This review will pay particular attention to the requirement for a five foot separation to groundwater based on the following:

 - ~~i. Review of available septic system design data for depth to groundwater.~~
 - ~~ii. Review of any available piezometer data.~~
 - ~~iii. Review of NRCS soils maps.~~
 - ~~iv. Review of concerns brought to BCPH by local residents.~~~~
- ~~c) Boulder County Parks and Open Space

 - ~~i. BCPOS will only consider applications that have been approved by the State and the Boulder County Health Department.~~
 - ~~ii. POS staff will perform a site visit to evaluate any site prior to approval.~~
 - ~~iii. If Parks and Open Space staff determines that the current available information on ground water depth does not conclusively demonstrate that the annual high groundwater table is at a depth of greater than five feet of the surface land, they shall require additional information.~~
 - ~~iv. If the land is irrigated and the current groundwater information does not take this into consideration, a test well will be required and monitored during the irrigation season prior to approval.~~~~

~~**2. Monitoring**~~

- ~~a) Initial site visit~~
- ~~b) Annual

 - ~~i. Visit on-site a least once during the application window.~~
 - ~~ii. Meet at least once with the current agricultural operator to discuss the use of biosolids.~~
 - ~~iii. Properties where biosolids are applied will include this practice as part of the operating plan.~~~~
- ~~c) Complaint based

 - ~~i. While staff has the ability to check agricultural operations as part of their daily routine, they cannot be everywhere all the time. Because of this fact, neighbors are often an important source of information.~~
 - ~~ii. BCPOS staff will respond to complaints related to the application of biosolids as an additional means of regulating compliance with all aspects of this document.~~~~

~~**3. Corrective Actions**~~

- ~~a) If it is determined through any of the above monitoring practices that Regulation 64 is not being met, Parks and Open Space staff will suspend the application of any~~

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~~additional biosolids until it can be demonstrated that corrective action will resolve the problem.~~

- ~~b) If after working with the State, BCPH and the applicator it is determined that Regulation 64 cannot be met, Boulder County Parks and Open Space will revoke the right to apply biosolids on all or a portion of the property that is not in compliance.~~

~~**VERIFICATION AND RECORD KEEPING:**~~

~~BCPOS will keep maps, permits and histories of all sites approved for the application of biosolids. Staff will record monitoring activities and any corrective action taken in the Operating Plans for each property. On an annual basis, the agricultural manager will verify that BCPOS employees have taken the required monitoring actions and that all corrective actions have been documented. The biosolids monitoring information will be kept as part of the Operating Plan for as long as the use of biosolids continues on the property and for five years after cessation of use.~~

~~**DATE IMPLEMENTED:** _____ **BY:** _____~~

~~**DATE REVIEWED:** _____ **BY:** _____~~

~~**DATE REVISED:** _____ **BY:** _____~~

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~~Appendix 9: Pesticide Application Protocols~~

~~Boulder County has established a protocol to be applied before any spraying on public land:~~

- ~~• When spray operations are adjacent to public trails the trail is posted prior to spraying.~~
- ~~• Depending on the proximity to a public trail, staff may require that the trail be closed to the public.~~
- ~~• Individuals on the State's Pesticide Sensitive Registry are notified.~~
- ~~• Drift cards may be placed if other sensitive crops are adjacent to the spray operation.~~
- ~~• Currently the spraying of herbicides and insecticides by fixed-wing aircraft has been banned.~~

Changes to Appendix 9:
- Draft Protocol removed.
- Current Pesticide Application Protocol will be included in Strategic Integrated Pets Management Program.

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~~Appendix 10: Wildlife Best Management Practices~~~~Wildlife Best Management Practices for Cropland~~

~~This document is meant to serve as general outline for inclusion into the Draft Cropland Policy. This document will be further refined to include specific recommendations and mitigations pending full acceptance and approval of the Cropland Policy by the Board of County Commissioners.~~

Overview

~~The following Best Management Practices (BMP) are general guidelines for the protection of wildlife found on agriculture focused Open Space properties. These BMPs have been developed for a broad geographic area, therefore each described BMP will not always be the most applicable. However, BMPs provide a foundation for developing customized leases, operating plans, and/or management plans that benefit designated priority species at the Federal, State or County level.~~

BMP Development Process

~~These wildlife BMPs for cropland will be further developed using literature review, State, Federal, and nonprofit published guidelines and technical reports. All BMPs will be developed in collaboration between Resource Management and Agricultural Resource staff. This is a living document which reflects the most current knowledge and information available and will be continuously updated.~~

Proposed Wildlife BMPs Subjects

- Administration
- Grazing
- Capital Improvements
- Haying
- Irrigation
- Row Crops/cropland

Changes to Appendix 10:

- Draft Best Management Practices removed.
- Current Best Management Practices will be housed on the BCPOS website.

~~Appendix 11: Riparian and Wetland Best Management Practices~~

~~Riparian and Wetland Best Management Practices for BCPOS Croplands~~

~~This document is a preliminary statement of direction for the development of Best Management Practices (BMPs) for agricultural operations near riparian areas and wetlands.~~

~~GENERAL:~~

- ~~Definition of Riparian Zones and Wetlands~~

~~Perennial and intermittent or ephemeral streams have a zone often referred to as the riparian area. The riparian area is generally the vegetated area from the high water mark to upland vegetation. In Boulder County, this area is characterized by the presence of vegetation that requires a shallow groundwater table, such as plains cottonwoods (*Populous deltoides*).~~

~~Boulder County Parks and Open Space delineates or classifies wetlands using three criteria:~~

- ~~Plants: dominance of hydrophytic plants~~
- ~~Soils: presence of hydric soils~~
- ~~Water: soil saturation or presence of shallow water for a period during the growing season~~

~~Wetlands in Boulder County are found near and along flowing water, standing water and in areas separated from observable surface water. Many of the wetlands in Boulder County are associated with perennial streams, ephemeral or intermittent streams, swales, ravines, agricultural ditches, and low lying areas with clay pans. There are also wetlands associated with springs, hillside seeps, kettle ponds, and prairie potholes. Perennial streams can have wetlands associated with the fluctuations of the stream level as well as wetlands associated with the high water table in the basin.~~

- ~~Regulations Protecting Wetlands~~

~~The U.S. Army Corps of Engineers (USCOE) regulates the activities that impact “waters of the United States,” including wetlands. This regulatory action is allowed under the Clean Water Act, Section 404. The Environmental Protection Agency (EPA) also provides guidance and administration of Section 404 of the Clean Water Act.~~

- ~~Purpose of Buffers~~

Changes to Appendix 11:

- **Draft Best Management Practices removed.**
- **Current Best Management Practices will be housed on the BCPOS website.**

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~~Riparian areas and wetlands provide improved water quality, stream bank stabilization, flood attenuation, groundwater recharge, and important wildlife habitat. The purpose of buffers around riparian areas and wetlands is to protect the many valuable features and functions provided by these ecosystems with an ecologically sound transition area between uplands or agricultural Open Space lands.~~

~~All wetlands on or adjacent to BCPOS land shall be protected from actions that may reduce the number, size of wetlands, or degrade the physical and functional values of wetlands. The protection of wetlands will be completed using a variety of approved management actions including: wetland buffers, fencing and other management actions. Riparian areas will be protected from impacts using management processes similar to wetland protection, including riparian buffers.~~

- ~~**Definition of Buffers**~~

~~A riparian or wetland buffer is an area extending from the edge of the defined riparian area or wetland to upland vegetation or cropland. These buffers are vegetated areas that are undeveloped and are general free from human disturbance.~~

~~BMP DEVELOPMENT PROCESS~~

~~➤ General~~

~~BCPOS will develop Riparian and Wetland Buffer BMPs that protect the ecological integrity of streams, riparian areas, and wetlands, while supporting sustainable cropland and agricultural practices.~~

~~BCPOS will review established guidelines, technical reports, and published literature from federal, state, and local governmental agencies, in addition to nonprofit organizations, to develop these BMPs.~~

~~BCPOS will generate a list of allowed uses and restricted activities within riparian and wetland buffers.~~

~~➤ Approach to Riparian and Wetland Buffers~~

~~Specific buffer widths will be established for both riparian areas and wetlands. The approach will allow the buffer widths to vary in size (greater or lesser) based on individual site characteristics, including: slope, connectivity of the wetland or riparian area, presence of federal and state threatened and endangered species, and sensitive plant communities, and presence of habitat generally associated with protected~~

Boulder County POS Cropland Policy

~~species. Variable wetland buffer widths may also be allowed based on the agricultural or cropland practices proposed for the site or sections of a property.~~

~~Examples of strategies used in the determination and implementation of buffers will include the following:~~

- ~~• Determination of the buffer zone will require a review by qualified BCPOS staff.~~
- ~~• The types of agricultural or cropland practices proposed for a site may change the width of the wetland buffer. Activities such as storage of fuel and equipment, animal waste, irrigation practices, and pesticide applications may require a greater buffer width.~~
- ~~• Other management activities planned for sites near or adjacent to riparian areas or wetlands will require assessment by Boulder County.~~
- ~~• Degradation to wetlands or wetland buffers may require an increase in buffer sizes.~~
- ~~• Modifications to the buffer width may be reviewed by BCPOS upon request of the lessee.~~

~~REFERENCES~~

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~~Cappiella, K., T. Schueler, J. Tasillo, and T. Wright. 2005. Wetlands and Watersheds: Adapting Watershed Tools to Protect Wetlands. United States Environmental Protections Agency.~~

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~~Kusler, Jon. 2009. Model Ordinances for Regulating Wetlands; Riaparian Habitats; Stream Buffers. Association of State Wetland Managers.
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<http://www.epa.gov/nrmrl/pubs/600R05118/600R05118.pdf>~~

Boulder County POS Cropland Policy

~~Appendix 12: Background Information~~

~~Appendix 10 includes background information for the minority reports included in the document as well as additional proposed policies from members that were not considered by the majority. This section also includes documents provided by a member of CPAG in support of the majority opinion on genetically engineered crops. None of these documents have been edited or changed by Boulder County Parks and Open Space.~~

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Recommended Cropland Policy – Definition of Sustainable Agriculture	p. 60
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Genetically Engineered Crop Materials, CPAG Submittal	p. 108

Changes to Appendix 12:

- Additional background information on the Cropland Policy process and minority opinions can be found on the BCPOS website and in archived Cropland Policy documents.



Parks & Open Space

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TO: Parks & Open Space Advisory Committee
DATE: Thursday, November 18, 2021
AGENDA ITEM TITLE: Boulder County Parks & Open Space 2022 Capital Improvement and Stewardship Projects
PRESENTER: Tina Nielsen, Special Projects Manager
ACTION REQUESTED: Recommendation to BOCC

Background

The Boulder County Parks & Open Space 2022 budget request includes a line item for capital improvement and stewardship projects, funded from the county open space sales tax. This year the line item is \$1.5 million. The purpose of this memo is to outline the projects that will be funded from this budget line item and ask for POSAC’s recommendation for approval to the Board of County Commissioners.

The capital and stewardship projects are selected through a process that starts with the department’s internal strategic plan. Each workgroup prioritizes projects for the upcoming year based on their strategic priorities. For projects that need funding, the project lead creates a project charter. The project charter documents the scope and timing and demonstrates the project’s alignment with strategic priorities. The Management Team then ranks project charters to determine which will receive funding. This year, a total of 32 project charters were submitted, totaling \$1.75 million. Of those, 26 projects were selected to receive funding by the Management Team.

Parks & Open Space Improvement Projects (POSIP)

Boulder County Parks & Open Space has employed the POSIP process for many years. The annual POSIP helps the department to prioritize capital improvements and provides a structure for seeking partnerships and grant funds to help leverage our capital funds.

Priorities for capital projects flow from management plans and master plans adopted by the Board of County Commissioners following a public process. Other factors are priorities in the department’s 2025 Strategic Focus, purchase agreements, intergovernmental agreements, and requests from communities and the public.

The POSIP budget is distributed to projects in seven categories: Agriculture, Ecosystems, Forestry, Historic Preservation, Public Education, Recreation & Facilities, and Water.

Thanks to grants and partner contributions, the department has been able to leverage the \$1.1 million POSIP budget by nearly \$1.1 million for a total capital budget of over \$2.17 million. These additional funding sources include:

- Ertl Center Pivot: Natural Resource Conservation Service grant to tenant
- Prescott Wetland Restoration: Colorado Parks and Wildlife wetlands grant
- Sherwood Gulch Forest thinning: Colorado State Forest Service grant
- Rock Creek Trail along 104thSt.: Lafayette and Louisville partner contributions and DRCOG grant
- Tolland Ranch Trail: Grants from Great Outdoors Colorado and the Parks & Open Space Foundation/Mike O’Brien donation fund
- Water projects: contributions from the workgroup’s operating budge

2022 POSIP Projects

Project	POSIP	Grant	Partner/ other	Total
Agriculture				
1. Hygiene Dairy Produce Handling/ Washing Facility	\$120,000	applied for stimulus fund		\$120,000
2. Ertl Center Pivot	\$50,000	\$78,000		\$128,000
Agriculture Subtotal	\$170,000	\$78,000	\$0	\$248,000
Ecosystems				
1. Bush Pond - Northern Leopard Frog Habitat Improvement	\$8,000			\$8,000
2. Prescott Wetland Restoration	\$35,000	\$47,440	\$3,375	\$85,815
Ecosystems Subtotal	\$43,000	\$47,440	\$3,375	\$93,815
Forestry				
1. Sherwood Gulch Forestry thinning	\$102,500	\$245,000		\$347,500
2. St. Vrain Forestry Yard	\$85,596			\$85,596
Forestry Subtotal	\$188,096	\$245,000	\$0	\$433,096
Historic Preservation				
1. Walker Ranch hay barn reroof	\$50,000			\$50,000
2. McIntosh barn stabilization	\$30,000			\$30,000
Historic Preservation Subtotal	\$80,000	\$0	\$0	\$80,000
Public Education				
1. Master Interpretation Plan for Museums, Part 1	\$30,000			\$30,000
Public Education Subtotal	\$30,000	\$0	\$0	\$30,000
Recreation & Facilities				
1. Sign Standards and Messaging Manual (Including Spanish Transcreation)	\$70,000			\$70,000
2. Coalton Trail	\$20,000	\$275,000		\$295,000
3. Tolland Ranch Trail	\$0	\$311,000	\$125,395	\$436,395
4. Rock Creek Trail along 104th St.	\$270,500			\$270,500
5. Twin Lakes Bank stabilization and Erosion control	\$37,562			\$37,562
6. Heil Ranch Parking Lot Capacity Increase	\$50,280			\$50,280
Recreation & Facilities Subtotal	\$468,342	\$586,000	\$125,395	\$1,159,737
Water				
1. CHP and Brewbaker Sorenson Well Development & Improvement	\$42,000		\$3,000	\$45,000
2. Gaynor Lake and Howell Ditch water conveyance and efficiency	\$77,500		\$3,000	\$80,500
Water Subtotal	\$119,500	\$0	\$6,000	\$125,500
POSIP Total	\$1,098,938	\$956,440	\$134,770	\$2,170,148

Stewardship Fund

The Stewardship Fund was a new funding opportunity created in 2021 as a result of the Department's internal strategic planning efforts. This funding is designed to help address maintenance backlog and strategic projects that are over and above divisions' normal operating budget.

2022 Stewardship Fund Projects

Project Name	Stewardship Fund
1. Imel & Lagerman Land Rehabilitation	\$61,455
2. Castle Rock Climbing Improvements	\$20,000
3. LoBo Trail Resurfacing	\$54,550
4. Corona Hill Cheat Grass Control: contract for aerial spraying	\$35,000
5. Diversion Structure Adaptive Management	\$100,000
6. Agricultural Field Fencing backlog	\$90,000
7. Safety Tree Pruning, Niwot Trails	\$75,000
Stewardship Fund Total	\$436,005

Discussion

As a result of the internal strategic planning process the department has been engaged in, our processes for prioritizing our work have evolved to help us answer the questions "Are we doing the right things? And, are we doing things right?" At the workgroup level, our processes help to ensure that staff time and budgets align with our goals and move us toward our desired future conditions. At the department level, the process incentivizes collaboration consultation, and coordination. We welcome your questions and comments about the projects proposed for the coming year and request your recommendation for approval to the Board of County Commissioners.

POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval of the 2022 POSIP and Stewardship Projects as described above and as further described by staff at the POSAC meeting.

Suggested motion language: I move approval of the 2022 POSIP and Stewardship Projects project as staff has described.

Attachments

- A. 2022 POSIP Project Descriptions
- B. 2022 Stewardship Fund Project Descriptions



ATTACHMENT A

2022 Parks & Open Space Improvement Project (POSIP) Descriptions

AGRICULTURAL POSIP Projects

1. **Hygiene Dairy Produce Washing Facility:** As a result of recent additions to the National Food Safety Act (NFSA), our smaller scale vegetable producers are facing a cost burden of upgrading their process to abide by the regulations put forth for food that is consumed by the public. Hygiene Dairy property currently occupied by Red Wagon. The project scope is spread over two years. In 2021, we contracted out engineering and design work in order to develop a realistic cost estimate for the facility. In year two, the plan is to build a steel building with power and water available on the interior so the tenant can operate their newly purchased produce processing equipment, an ADA compliant bathroom, space for walk-in coolers and a hand washing area for employees. The current tenant has also expressed interest in "renting" the new building from BCPOS for up to \$10,000 per year to help recoup the cost of constructing this facility.
2. **Ertl Center Pivot Sprinklers:** The Ertl property cultivates corn, wheat and barley. Eliminate flood irrigation by installing the last of three new center pivot on the Ertl property in 2022. Through years of research, we have found that center pivots are much more efficient to install, maintain, and operate than flood irrigation. Center pivots improve water use efficiency to 98% compared to flood irrigation, which is only 40% efficient. These improvements help to ensure water is not wasted and can help improve soil health and crop yields. Irrigating with the flood method can cause water logging, which can increase soil salinity - an effect that can reduce crop yields and land value. Like all other NRCS EQIP projects the cost that we will be faced with is for the infrastructure only for the center pivot.

ECOSYSTEMS POSIP Projects

1. **Bush Pond - Northern Leopard Frog Habitat Improvement:** Northern Leopard Frog (NLF) is a Species of Special Concern in the BCCP ERE and a Tier 1 CPW Species of Greatest Conservation Need. BCPOS wildlife staff have detected significant declines in recent years. As part of the Front Range Frog Working Group, BCPOS and OSMP desire to collaborate on restoration of Bush Pond because it has a high chance of success in colonization of NLF from nearby Damyanovich OSMP land, is in the only region BCPOS has NLF populations (Erin Arsenault/Coal Creek) and has good habitat characteristics if restored. This project achieves the goal of recovering a species of concern of local and statewide importance. It may also improve drinking source for local grazing cattle if compatible. The goal is to burn cattail, clear up to 25% of cattail in 2022 with more clearance in following years, install a drain, survey depths, install a perimeter fence and treat for weeds by December 2022. Mac Kobza in Wildlife, along with collaborating staff in Agriculture, Water, Weeds, PE, Forestry and RAF will meet this goal by agreeing on the approach, mobilizing a crew of volunteers, buying equipment, cutting and removing cattail, disposing of cattail, controlling weeds and improving habitat, installing a agridrain (if needed), and constructing a cattle-accessible perimeter fence. Accomplishing this goal will achieve a long desired and much needed increase of habitat for NLF for achieving the goals of the NLF Species Conservation and Recovery Plan and enacting a collaborative project with OSMP and the support of CPW and other Front Range Frog Working Group members.

2. **Prescott Wetlands Restoration:** The wetland on the Prescott property has been identified as significant, due to its size, and quality of vegetation, including many species uncommon in the County, and indicative to a high quality site with little disturbance. The Prescott wetland had the highest number of plant species of all wetlands assessed in the Phase 1 County-wide wetland assessment in 2020. Soil pits have identified areas of deep, organic peat, which is characteristic of a 'fen', or a groundwater dependent wetland where organic soils build over a long period of time because of anerobic conditions due to saturation that slow the breakdown of organic materials. It can take thousands of years to produce an organic peat layer 16" or more deep, which is why fens are sometimes considered 'old growth' wetlands. Furthermore these soils can sequester large amounts of carbon. Sometime between 1938 and 1950 someone ditched a wishbone pattern, visible on historic and present aerials, through a portion of the wetland to drain it. Those ditches, some of which are 4 feet deep, have dramatically lowered the water table that would of historically saturated the surface peat soils. This has led to drying of the peat, a loss of carbon, and changes from a meadow of sedges and bog birch, to a drier site with encroachment of deeper rooted willows and more xeric shrubs and herbaceous plants, including non-native species. Despite the high scores for species richness, floristic quality, land use context, and other biological and geo-chemical scores, the Prescott wetland overall was the second lowest ranking montane wetland in the 2020 assessment, due to the hydrologic impacts. This project would fund a Design/Build to restore the historic hydrology as much as possible across the site. Unfortunately due to time, the dredged material is no longer very visible or accessible on the site, so any restoration attempts will have to be creative in what can be done to fill, or plug the channels, and restore some semblance to the hydrology. Additional work will include 4,540 feet of new fencing along the Forest Service Road 105J that serves as a busy OHV route, and threatens the wetland by trespass. Project goal is to reclaim ditches that lower the water table and re-establish the historic hydrology to restore approximately 2.75 acres of historic fen wetland on the Prescott property. Replace between 3,700 and 4,540 feet of fence along eastern boundary and USFS Road 105J to prevent OHV access into wetland and adjacent meadows and creek on site, which could damage significant natural resources on site.

FORESTRY POSIP Projects

1. **Sherwood Gulch Forestry thinning:** Forestry thinning projects are designed to reduce forest fuels through the implementation of Forest Restoration concepts. Restored forests have a structure that is better at responding to wildfire events. In addition, they are strategically located on the landscape to protect communities, watersheds, and infrastructure at risk. The Forest Restoration Treatment and Fuels Reduction at Sherwood Gulch involves 100 acres of treatment. This is year one of a two-year project. The Colorado State Forest awarded \$245,000.
2. **St. Vrain Forestry Yard:** With the 2013 Flood BCPOS lost the use of our Alaska wood storage yard. This yard allowed us to store woody biomass for use in our two biomass heating facilities. We have been looking for a property to utilize as a wood storage yard since the flood and purchased the Rami-Shadi property in 2/5/2019. We are in the process of bringing this property through the County's Limited Impact Special Review process. In order to open the St Vrain Forestry Yard for wood storage and processing we will need to build an access road from St. Vrain Road to the work site. This will include installing a culvert and bringing in road base. There will also be the need for cut and fill. Additionally there may be the need for a concrete slab to create a location to make processing of material easier.

HISTORIC PRESERVATION POSIP Projects

1. **Walker Ranch Hay Barn Reroof:** Remove/Replace deteriorating wood shingles as well as cedar breather and underlayment as necessary. Walker Ranch is a landmarked property and one of the most valuable historic farmsteads on BCPOS property. A significant portion of the roof shingles have blown off and deterioration continues. If this work isn't done in the coming year the building will take on unnecessary damage and cost more to repair in the near future.
2. **McIntosh Barn Stabilization.** The McIntosh barn is a major asset at the Agricultural Heritage Center museum tour. The McIntosh barn is a major asset at the Agricultural Heritage Center museum tour, annually visited by many members of the public, staff, and volunteers. In the event that the foundation degrades further or collapses, it could pose a serious risk for visitors and staff. Structural repairs will preserve this asset while addressing potential future safety concerns. Project goal is to perform the necessary repairs to the damaged barn foundation under the guidance of engineered plans/recommendations.

PUBLIC EDUCATION POSIP Projects:

1. **Master Interpretation Plan for Museums, Part 1:** Hire a consultant to develop long range interpretive guidelines for BCPOS's Agricultural Heritage Center, Nederland Mining Museum, and Assay Office Museums. These plans will update educational themes to better reflect a more inclusive human history of Boulder County using culturally relevant language, assess and update current programs, signage, and training materials, and provide short and long term goals for future educational content and exhibits. Hiring a consultant to perform this work allows staff to continue working on operations at a high level while the consultant assesses sites and programs. Having a trained outsider look at operations will provide valuable insight. The proposed cost was derived from estimates given by museum colleagues going through similar projects. The project goal is to receive completed guideline documents that contain updated interpretive goals and material that will be used in future planning and training. The planning documents will be completed by December 31, 2022 and will begin to be implemented in 2023. Part 2 will address interpretive guidelines for Walker Ranch Homestead, Altona School & Cardnal Mill.

RECREATION & FACILITIES POSIP Projects

1. **Sign Standards and Messaging:** The focus of this project will be for a hired consultant to work with BCPOS work groups on standards for signs and sign messaging on parks, trails, and open space lands that do not change on a regular basis. The use of standard international symbols and icons will be the preferred way to communicate many of our messages. This will minimize the need for lengthy narrative and excessive signs that can result from providing our messages in multiple languages. The consultant will be asked to provide recommendations on how these standardized messages and symbols can be incorporated into the wide variety of signs we post on county-owned open space. The terminology and symbols developed in this project will also be applied to our ever-changing types of communications (e.g., temporary and seasonal signs, web pages, social media, brochures, press releases, flyers, newsletters) whenever possible so that all BCPOS communications are consistent. We also want to limit customization of our terminology and signs across the Department. In addition, the Manual shall include standards for Spanish interpretation and transcreation for each major type of sign.

2. **Coalton Trail:** Complete construction implementation of the Coalton Trail Redesign plans and specifications in 2022. The Coalton Trail was originally part of Boulder County Road 67, which was partially vacated and abandoned in 1996 and converted to a trail. Coalton Trail is approximately 2.7 miles long and approximately 8 feet wide surfaced with road base. The trail is located roughly in the center of the old road right of way, which was fifty feet wide. The trail has functioned relatively well since it was converted from a County road in the late 1990's but there is one section that is steep and does not meet ADA, Boulder County's Regional Trail or the Rocky Mountain Greenway standards. This steep section provides a challenge for many trail visitors and often erodes, resulting in high maintenance costs.

3. **Tolland Ranch Trail:** In January, 2015, Boulder County partnered with the Colorado State Forest Service and Great Outdoors Colorado, with coordination by The Conservation Fund, to acquire a conservation easement over approximately 3,334 acres of the Tolland Ranch property near Eldora Ski area in western Boulder County and Gilpin County. The acquisition includes a 6.5-mile long trail easement. In 2018 a Class III Cultural Resource Survey of the trail corridor was completed. The purchase agreement stipulates that the trail must be open to the public no later than 2024. BCPOS submitted and was awarded a GOCO trail construction grant in fall 2019; a contractor has been hired and began construction in 2021. Project goal is to increase trail connectivity by adding six miles of new soft surface trails connecting two USFS properties between West Magnolia and Jenny Creek at Eldora Ski area.

4. **Rock Creek Trail along 104th St.:** Connecting the Coal Creek Trail with Rock Creek Farm via the S. 104th Street corridor has been identified as a high priority for Louisville and Lafayette. This connection would provide access from these two communities to Rock Creek Farm and its trail system with a regional trail connection from the intersection of Empire Road and Coal Creek Trail, south, crossing Dillon Road and south to the trail head and parking at Stearns Lake. Louisville has secured grant funding for part of the \$1.3 million dollar budget. The project is to construct a primarily soft-surface/crusher fines (concrete in some small sections), 8 foot wide, separated multi-use trail that links the regional Coal Creek Trail, which extends from Louisville and Superior to Lafayette, to the Rock Creek Trail which connects Boulder and Broomfield County trail systems. The trail will be constructed on publicly owned open space lands and, if needed at select locations, within public road right of way. It will consist of 2.6 miles of new trail that will travel through several jointly-owned Open Space properties. These properties are managed for multiple purposes with a high emphasis on Agriculture. The trail will be set back as far as possible from the road to provide a separated, open space experience, however in some areas agriculture operations and other uses will necessitate the use of right of way closer to the road. The northern portion of the trail connection will be at Empire Rd. and the Coal Creek Trail, where it will then travel east and south along the Louisville cemetery, cross SH 42, and continue south along 104th St. A new signal at SH 42 and 104th Street (which has been designed and funded, and will be installed this year/2019) has been configured to support the trail alignment and necessary pedestrian crossings. The trail will continue south along the east side of 104th Street on the Mayhoffer 15 Open Space property, where it will parallel the agricultural activities on the Boulder County Land Venture property to the intersection of Dillon Road and 104th. At this point, there may be a need for some concrete sections and curb and gutter infrastructure due to existing easement and private property lines. Another signal is planned for installation at this intersection, with accommodations designed in for the trail crossing. From Dillon Road, the trail continues to travel south along the east side of 104th, on the Boulder County Rock Creek Farm property, crosses the bridge over the NW Parkway (where a concrete sidewalk currently exists) and enters the Carolyn Holmberg Preserve. The trail will follow the Open Space on the east side until it reaches the parking lot at Sterns Lake. Just north of the parking lot there is a ditch crossing and wetland area which will require a small bridge and boardwalk area.

5. **Twin Lakes Bank stabilization and Erosion control:** The goal is to improve public access at Twin Lakes Dog park while stabilizing west lake banks from erosion and tree loss by 2022. This site has been devastated by severe neglect due to maintenance backlog. Trails have expanded into and are damaging tree roots along the banks, extreme water levels have exposed multiple tree roots along the bank and many of the grass areas have been severely degraded due to heavy traffic. Safety issues with this site consist of multiple access points near bridges degrading the soil around abutments allowing them to become vulnerable to failure. Entry points into the water and ditch can lead to unsafe access possibly causing harm to humans or dogs if continued to erode. Tree limbs that need to be cut back and maintained. Landscape architect and grounds staff will meet this goal by stabilizing all eroded banks with soil riprap and korimat erosion control blanket to reduce losing additional resources from dog/human impacts, improve public access to lake with dedicated entry points, close off dangerous entry points into ditch and headgate area, fence along banks for revegetation of site and tree protection, reestablish trail. Accomplishing this goal will benefit both the community members that use the dog park and the land itself.
6. **Heil Ranch Parking Lot Capacity Increase:** The pandemic accentuated trends of increased visitor use, and Heil Ranch is one of the parks with highest visitor use. Project goal is to increase parking capacity at Heil Valley Ranch by designing and constructing a new lot on the south end of the property near Left Hand Canyon Road, at the former site of Bud and Velma's home. We hope to design for 20 spaces if the space (and survey) allows. Expansion of parking will mitigate law enforcement activities and maintenance issues with illegal overflow parking..

WATER RESOURCES POSIP Projects:

1. **CHP and Brewbaker Sorenson Well Development & Improvement:** Water Resources is proposing to implement two well improvement projects on the Rock Creek Farm and Brewbaker Sorenson properties. The wells on these properties need to be rehabilitated and redeveloped to become functioning, legal wells compliant with State permitting regulations. These projects are part of a larger BCPOS effort to inventory the County's groundwater wells, including the current condition, identified needs, location, and State permitting status. Through this process, the County, working with the State Engineers Office, will identify wells which require services provided by a general well improvement continuing services consultant(s) to meet project needs and state requirements. The work to be completed will be dependent on improvements specific to each well and permitting requirements from the State. This 2022 well development and improvement effort will initiate the larger well program development we are undertaking. The project goal is to develop functioning livestock water wells to provide supplemental water supply for cattle and reduce livestock in the riparian areas at Rock Creek Farm and Brewbaker Sorenson by the end of February 2022.
2. **Gaynor Lake and Howell Ditch water conveyance and efficiency:** Improved dam safety and water use efficiency improvements for Gaynor Lake and Howell ditch. The outlet ditch for Gaynor Lake is overgrown with cattails which reduces water delivery efficiency and presents a dam safety hazard. Water conveyance and use efficiency measures are needed at Gaynor Lake and Howell Ditch to more fully make use of our water rights and protect the safety of our staff and the public. The Howell ditch pipeline will pipe 1200 feet of ditch that is overgrown with cattails. This will provide a more efficient delivery of water for Wheeler Ranch. The water commissioner has said that the overgrowth of cattails is impeding the delivery of water and has said if vegetation is not maintained the state will not allow us to divert water. This project will implement a permanent solution to avoid cattail growth and improve water usage efficiency. Project goal is to have both pipelines built and able to deliver water before the need to irrigate and for the 2022 Gaynor Lake State Inspection (June).



ATTACHMENT B

2022 Parks & Open Space Stewardship Fund Project Descriptions

1. **Imel & Lagerman Land Rehabilitation:** Project goal is to return agricultural land to a productive state following long term occupation by prairie dogs. Rehabilitation back to former/full productivity will require weed control (primarily herbicide application), leveling burrows, tillage/soil prep, and seeding. Focus of efforts will be 230 acres on Imel and 109 acres on Lagerman. Areas where perennial grass remains will receive herbicide and burrow leveling only. Herbicide and leveling, tillage, seed bed prep and planting will occur on 56 acres.
2. **Castle Rock Climbing Improvements:** The Boulder Climbing Community/Front Range Climbing Stewards have been working on climbing access near Castle Rock for the past three seasons. Currently, there is a myriad of highly erosive social trails that lead users to climbing areas. The goal is to consolidate and harden a trail system so access to climbing routes is confined to determined areas. This would be the last phase of the project. The project would complete a hardened trail system from the access at Boulder Creek to the Overlook destination point, which was identified as the ending point of the trail. This would be the last phase of the project. The FRCS have been making improvements to the area for three seasons and have engaged numerous volunteers and the BCC has funded several weeks of work along with BCPOS funding. This is a partnership that engages volunteers, consolidates use in the area and restores areas that have been impacted negatively.
3. **LoBo Trail Resurfacing:** Portions of the LoBo trail that connects Longmont to Boulder were constructed approximately 20 years ago and have received minimal maintenance over that span. There have been multiple reports of the trail being below grade and after precipitations, ponding forms in numerous locations and in winter, patches of ice are created. Over the past several years, we have received numerous requests to improve the surface of the trail so ponding does not occur after precipitation. Resurfacing these portions with crusher fines will bring the trails back to standard and will minimize water ponding/freezing after precipitation events. Locations that will be resurfaced are the Cottontail Trail from N. 71st St - Boulder OSMF Cottontail junction just south of HWY 52, from N. 79th St - Niwot Road and from 63rd St underpass to the Twin Lakes dog park area.
4. **Corona Hill Cheat Grass Control:** Aerial Spray 350 acres on Corona Hill for control of Cheatgrass and wildfire buffer in either late February/early March or secondarily in the July/August time frame.
5. **Diversion Structure Adaptive Management:** The Niwot Passage and the Longmont Supply Passage projects, both constructed in 2021, involved many diverse stakeholders with diverse objectives. The structure designs are unique and will need adaptive management as the many stakeholders seek positive results and lessons to apply to future collaborative structures. Adaptive management in streams is knowing that there are too many variables to control, and we will need to adjust to future conditions, and these adjustments often require funding. High flows in both 2021 and 2022 will show places where additional unanticipated work will be needed to maintain a sustainable structure. Each adaptive management action will be specifically designed and constructed to continue providing the multiple objectives of the structure. Many stakeholders will weigh into the design and implementation of each adaptive management action.
6. **Agricultural Field Fencing backlog:** Through many years of acquiring open space properties and continual aging of fencing infrastructure over time, the county has experienced a growing backlog of agricultural fences in need of reconstruction. Fencing infrastructure is mandatory for the continued

functionality of our agricultural landscapes, and provides safety in the interfaces between agricultural management and external factors. In 2021, Ag Resources was awarded Stewardship funding for fence infrastructure projects on seven open space properties. The project focus for 2022 will be: Cushman SW fence, Cushman SE fence, AHI Longmont Farms East, Lohr perimeter, Gage Middle Division, and Madison Perimeter. The work will be performed by a contractor.

- 7. Safety Tree Pruning, Niwot trails:** The LOBO Trail system in Gunbarrel contains numerous over-mature trees lining the trail as well as backing up to private property. In some cases, there is little to no access to assess trees and stage equipment for tree safety mitigation. The irrigation ditches running through these properties add to unfavorable site conditions as well as influencing a direct effect on tree health and stability. In 2021, the Urban Forestry Team was awarded Stewardship Funding to hire tree contractors to assist with hazard tree assessments and mitigation work in this limited access area. By the end of 2021, we will have completed safety pruning and removals on two of the three sections of the Willows trail in Gunbarrel on the regional LOBO Trail. The remaining west section is equal in length to the first two completed sections, combined. Other areas that are overdue for contractor pruning/removal of large trees are the Cottontail Trail (LOBO), LHVG west section (LOBO), Heatherwood, and Niwot Trail systems (LOBO). Three large trees have failed in 2020-2021 along the Cottontail Trail. Contractors that are licensed to work around power lines will complete the removal of the trees.