

ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670
Boulder, CO 80308-0670
www.rockyflatssc.org

(303) 412-1200
(303) 412-1211 (f)

Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Karen Imbierowicz

Special Meeting – Natural Resource Damages Fund

Monday, April 7, 8:30 – 11:30 AM

**Rocky Mountain Metropolitan Airport (formerly Jefferson County Airport)
Terminal Building
11755 Airport Way, Broomfield, Colorado**

- 8:30 AM Convene/Agenda Review
- 8:35 AM Setting the Stage
- Review of March 10, 2008, working group meeting.
 - Report back on (1) status of other minerals at Rocky Flats, (2) status of land ownership on lands surrounding Rocky Flats, (3) development plans for lands directly south of Rocky Flats, and (4) migration corridors on east side of Rocky Flats.
 - Q&A about NRD funds and Trustees' evaluation criteria and decision-making process.
- 9:15 AM Briefing from State Land Board
- Various parties have expressed interest in evaluating using NRD funds for restoring and/or acquiring Section 16, the State Land Board's property neighboring Rocky Flats on the southwest.
 - Matt Pollart, Front Range District Manager for the State Land Board, will discuss this parcel, including current grazing and mining leases, historic mining, the railroad spur, and conservation plans.
- 9:35 AM Presentation of Proposed Projects
- Eight parties will present initial ideas for use of NRD funds. Each will be allotted 10 minutes.
- 10:55 AM Review Presentations and Discuss Next Steps

Adjourn

Next Meetings: May 5, 2008
August 4, 2008

Natural Resource Damages

- Cover memo
- State Land Board Q&A
- Proposals:
 - Arvada
 - Boulder
 - Boulder County
 - Broomfield
 - Jefferson County
 - Westminster
 - Jefferson County Nature Association
 - Trust for Public Land

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MEMORANDUM

TO: Board
FROM: David Abelson
SUBJECT: Special Meeting – NRD Funds
DATE: March 27, 2008

This special meeting of the Board of Directors is called expressly to discuss projects that might qualify for funding under the Rocky Flats Natural Resource Damage Fund settlement. \$4.5 million remains in this fund.

Attached to this memo are eight proposals for the Board's discussion and consideration. As noted in prior memos, under the CERCLA NRD provisions, the remaining funds must be used to "restore, replace or acquire the equivalent of" injured resources. Funds may be used on- or off-site. At Rocky Flats, however, most on-site restoration projects have been completed or are planned as part of ongoing land management.

The challenge the Natural Resource Trustees have put to the Stewardship Council and community members is two-fold. First, identify a project or projects that both fit within the funding parameters of the NRD fund and that are broadly supported by governments and community organizations. Second, identify additional monies that can be combined with the NRD fund to finance restoration projects. Those additional funds, as the Board discussed at its February 2008 meeting, could include local government contributions, GOCO grants, and/or federal funds.

The eight proposals capture a few consistent themes:

1. Acquire additional lands surrounding Rocky Flats.
2. Develop and/or improve wildlife crossings at Highway 93, Highway 128, and Indiana Street.
3. Restore habitat
4. Protect State Land Board (Section 16) from development.

Because of the complexity of Section 16 – both leases and legal nature of State Land Board lands – Matt Pollart, Front Range District Manager for the State Land Board, will discuss this parcel, including current grazing and mining leases, historic mining, the railroad spur, and conservation

plans. As background, attached is a 2 page primer on the State Land Board and lands under its jurisdiction.

Please let me know what questions you have.

The Stewardship Trust

Questions & Answers

What is the State Land Board?

When Colorado became a state in 1876, the federal government gave the state approximately 4.5 million acres of federal lands. The largest portion of these lands was granted for the support of common schools (the “school lands”). Today, the state still owns about 3 million of those acres, as well as an additional 1.5 million acres of mineral rights where the state does not own the surface land. The State Board of Land Commissioners and staff manage all of these lands to benefit eight different trusts (including the School Trust). The Board is the “trustee” for state trust lands and has a “fiduciary” responsibility to its beneficiaries—in the case of the School Trust, the school children of Colorado. As the trustee, the Board must produce reasonable and consistent income from the trust lands for beneficiaries living now and born in the future.

What is the State Land Board’s Stewardship Trust?

In November 1996, the voters of Colorado amended the state constitution to set out a more modern management scheme for school and other trust lands. The Land Board recognized, for example, that school lands must support schools now and in the future. Because of this “intergenerational” nature of the trust, the voters said that the Board should not sell off all of the trust lands to the highest bidder right now, but, rather, should preserve some of the lands for the future.

To accomplish this, the constitution required the Board to designate between 295,000 and 300,000 acres of trust lands into a special trust—the Stewardship Trust. This land will be preserved for future use by the Board to support public schools and other trust beneficiaries. During the first round of nominations, in 1998, the public nominated 620,000 acres, and the Board designated 217,943 acres. In December 2000, after a public nomination process that included more than 200,000 acres, the Board completed the designation process by bringing the total acres in the Stewardship Trust to 295,672 acres.

Once land is in the Stewardship Trust, it can be removed only by a vote of four out of five of the Land Board Commissioners. In 2001 and 2002, the Board voted to remove about 2,000 acres of state trust land from the Stewardship Trust, replacing it with a greater number of acres. Today, the Stewardship Trust totals 295,930 acres.

Does putting land in the Stewardship Trust guarantee that it will remain pristine open space forever?

No. The Board must always manage trust lands solely for the benefit of the beneficiaries; for school lands, those are the school kids of Colorado. However, the Board may determine that the best long-term benefit to school kids and other beneficiaries is to preserve certain land, rather than develop it or sell it. For instance, because the School Trust is an intergenerational trust, the Board must look at producing benefits for generations yet unborn. Therefore, it is a reasonable management strategy to put lands aside so that future boards can make their own economic decisions about them. That means that a future board may decide that it is in the long-term best interests of the trust beneficiaries to remove a parcel from the Stewardship Trust and explore different uses—including sale to a public agency for parks or open space or to a private individual for agricultural use or development.

One final point: The voters have decided that sound stewardship—preserving the beauty and natural values of land—is essential to preserving the economic value of land. In practice, this means that the Board is required to take good care of the natural values of its trust land. That is a positive gain for the environment and the public.

What Other Tools Are Available For Maintaining State Trust Land As Open Space Or For Other Natural Values?

In managing trust lands, the Board must consider and preserve the natural values of the lands until they are sold or developed. The voters of Colorado have determined that sound stewardship promotes economic value. In order to ensure sound stewardship of trust lands, the constitution (1) requires the Board to include in agricultural leases provisions that will promote sound stewardship and land management practices; and (2) gives the Board the authority to sell or lease conservation easements. The Board can also consider sales, leases, or exchanges for conservation purposes and use its general management authorities to protect the natural values on trust lands.

Will the public have access to Stewardship Trust Lands?

Designation of land into the Stewardship Trust does not automatically allow any new use of the land, such as hiking trails or other recreational uses. Any new use of state trust land, whether the land is in the Stewardship Trust or not, requires a lease application. If anyone applies for a new use on Stewardship Trust land, the Board will evaluate the lease application and determine whether permitting the new use is consistent with the Stewardship Trust, and in the best interests of the trust beneficiaries. Any new use or activity on Stewardship Trust lands will need to be coordinated with existing uses.

Who manages the Stewardship Trust lands?

The State Land Board is ultimately responsible for managing all state trust lands in Colorado, including Stewardship Trust lands. Under the terms of their leases and with oversight and guidance from the Board and SLB staff, Land Board lessees are responsible for day-to-day management of the land they lease.

Will existing leases continue when trust land is designated into the Stewardship Trust?

The great majority of state trust acres have at least one lease in place—for ranching, farming, oil and gas production, mining, timbering, etc. These leases constitute legal agreements between the lessee and the SLB. Consequently, a lease can be canceled only according to its terms or for violation of the lease. Designation of land into the Stewardship Trust, in itself, will not cancel a lease. The constitution acknowledges that uses and management practices that protect and enhance the beauty, natural values, open space and wildlife habitat of the land are consistent with Stewardship Trust designation. Renewal of any SLB lease depends upon many factors, including good stewardship and acceptable management practices by the lessee.

How can people nominate land for the Stewardship Trust?

The first round of the nomination and designation process took place in 1998. The second round took place in 2000. In December 2002, the SLB completed the constitutionally mandated public nomination and designation process for the Stewardship Trust, which now consists of 296,187.50 acres. By its nature, the Stewardship Trust is a fluid portfolio, since land can be removed by a vote of four out of five of the Land Board commissioners. However, the constitution and statute tell us the Trust must always remain at between 295,000 and 300,000 acres. This means that every time the commissioners vote to remove acres from the Trust, they must replace them with an equal or greater amount of land from a list of Replacement Designation Parcels.

To ensure that there are continued opportunities for the public to recommend state trust land to be considered as replacement designation properties for the Stewardship Trust, a recommendation form is posted on our web site and can be used by anyone to recommend parcels for consideration.

CITY OF ARVADA: PROJECT SUBMITTAL ON LINDSAY RANCH FOR USE/LEVERAGE OF NRD FUNDS

Background: The historic Lindsay Ranch property, nestled in the west-central portion of the Rocky Flats Wildlife Refuge site, offers an opportunity to use Natural Resource Damage (NRD) funds for restoration of native prairie habitat and wildlife while at the same time leveraging a potential State Historical Fund grant for restoration of the historic barn and outbuildings on the site. Jefferson County Open Space (JCOS) and Great Outdoors Colorado (GOCO) funding could also potentially be used for internal soft surface trail enhancements within the refuge and to provide external linkages to local and regional trail systems.

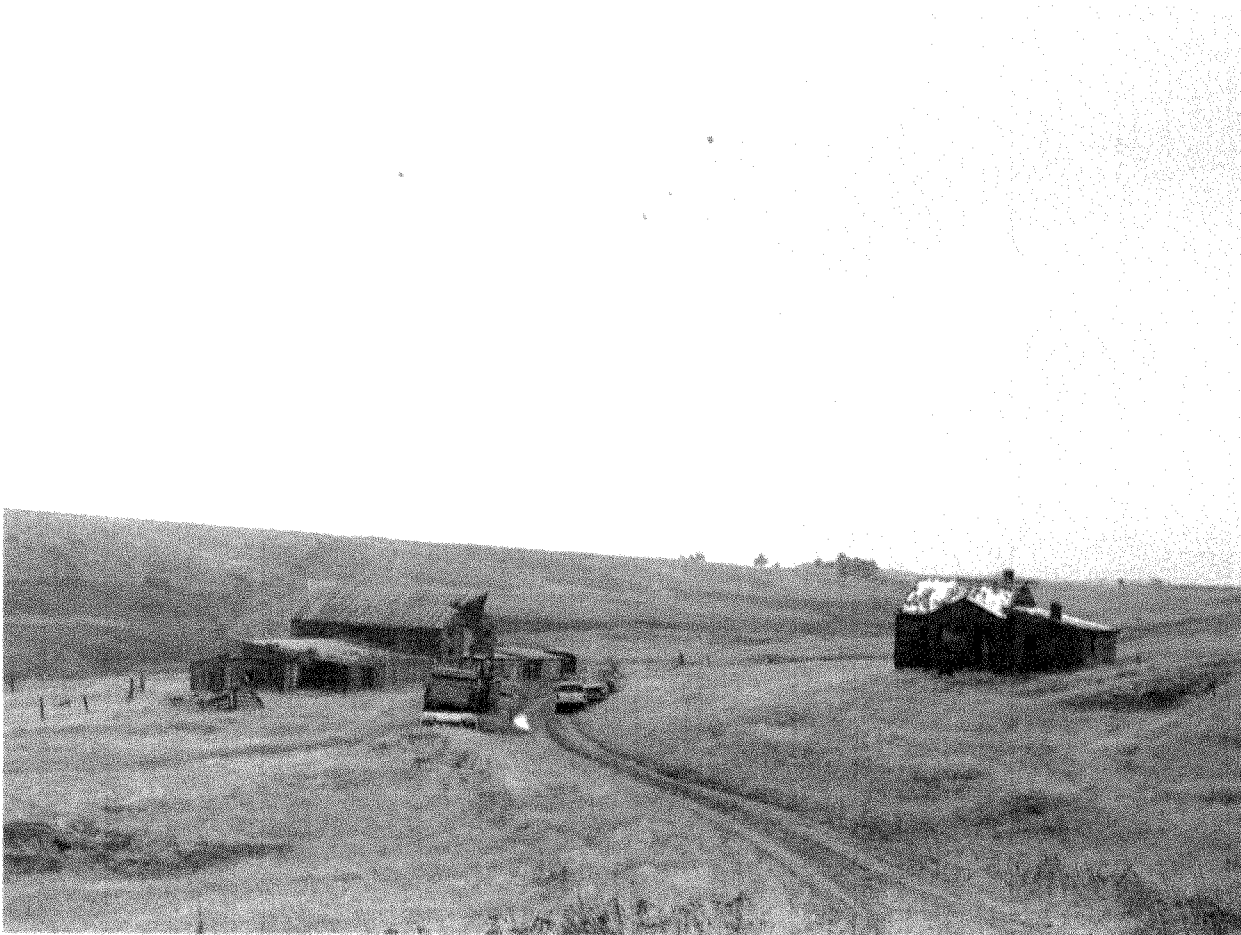
In 2003, the Rocky Flats Cold War Museum received a \$10,000 State Historical Fund grant to conduct an historic structures assessment and develop a preservation plan for the Lindsay Ranch properties. The museum provided matching funds for this grant while Jefferson County contributed \$500. The assessment was completed by Andrews & Anderson Architects, PC of Golden. This effort led to \$50,000 worth of emergency stabilization work in 2003 on the large, gabled two-story barn with two one-story wings.

Advantages of Project Approach: This relatively modest project could use NRD funds to:

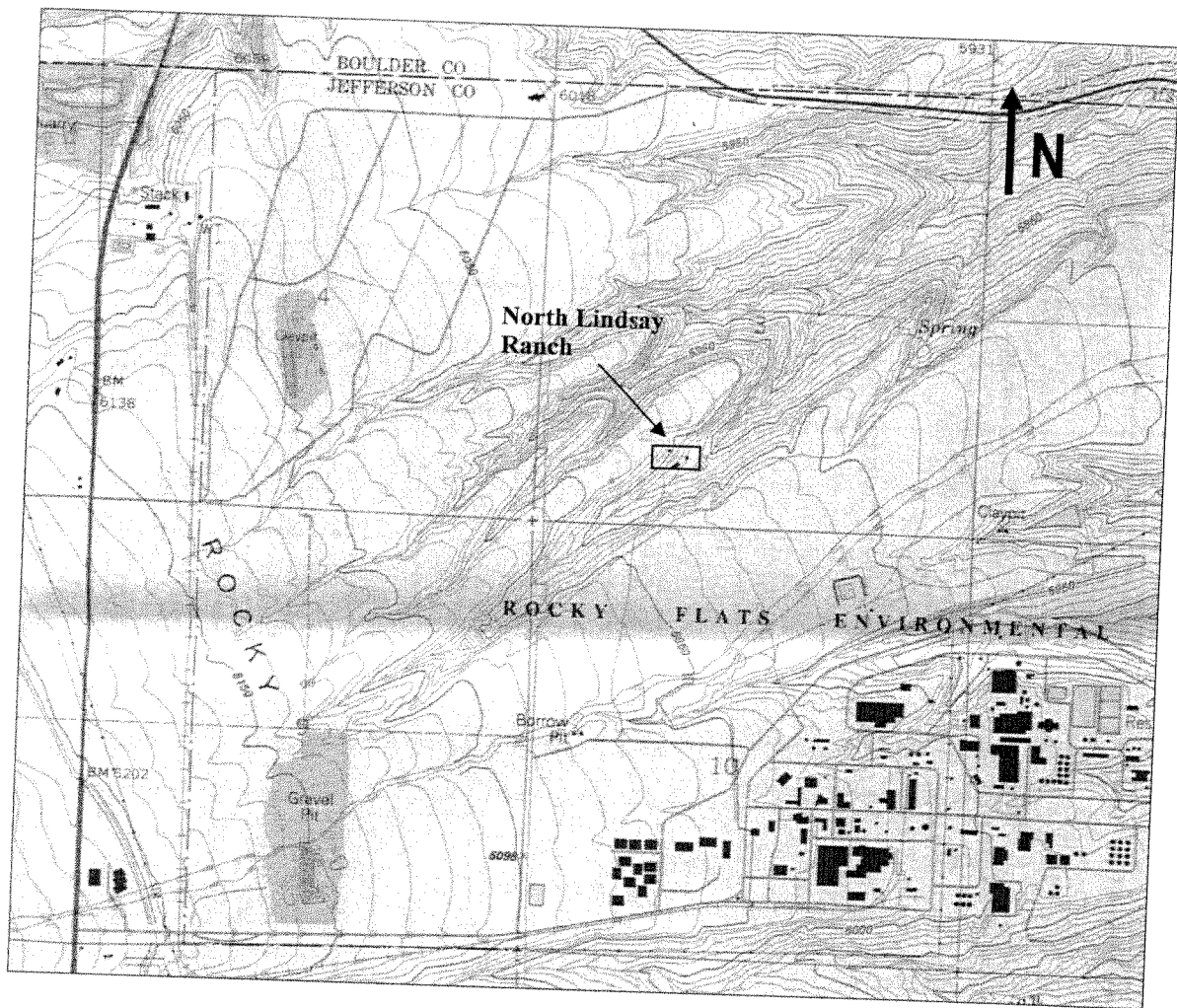
- Restore native prairie grasslands and pasture in and around the Lindsay Ranch property that would restore its historic features before and in anticipation of the opening of the refuge. Prebbles Jumping Mouse habitat is noted on the northern border of the Lindsay Ranch property in the US Fish & Wildlife Service Comprehensive Conservation Plan. Use of NRD funds in this area would benefit this species as well as adjacent Tallgrass Prairie and the pond on the site.
- Leverage a State Historical Fund grant to help restore the barn and other historic outbuildings at the Lindsay Ranch site, to begin fulfilling the preservation recommendations of the historic structures assessment completed in 2004.
- Leverage an individual State or National Register of Historic Places listing for the property in its own right (currently it is included under the broad umbrella of the overall site's significance to the Cold War era).
- Leverage possible Jefferson County Open Space and/or Great Outdoors Colorado Trust Fund grants for internal trail systems, external trail linkages, and open space preservation.
- Provide a win-win project for all parties with an interest in the future of the Rocky Flats Wildlife Refuge that benefits all and no one entity exclusively.

Estimate of Probable Cost: No current estimates exist beyond the \$50,000 of stabilization work on the barn and the recommended \$67,000 worth of stabilization on the house (not completed yet). Full restoration of the property and its features, including the natural landscape could well run over \$1 million or more. The project could be undertaken in phases, with initial efforts focusing on native prairie grassland restoration and preservation of the unique wooden barn on the site.

6.0 PHOTOGRAPHS AND ILLUSTRATIONS



Lindsay Ranch Nov 2003

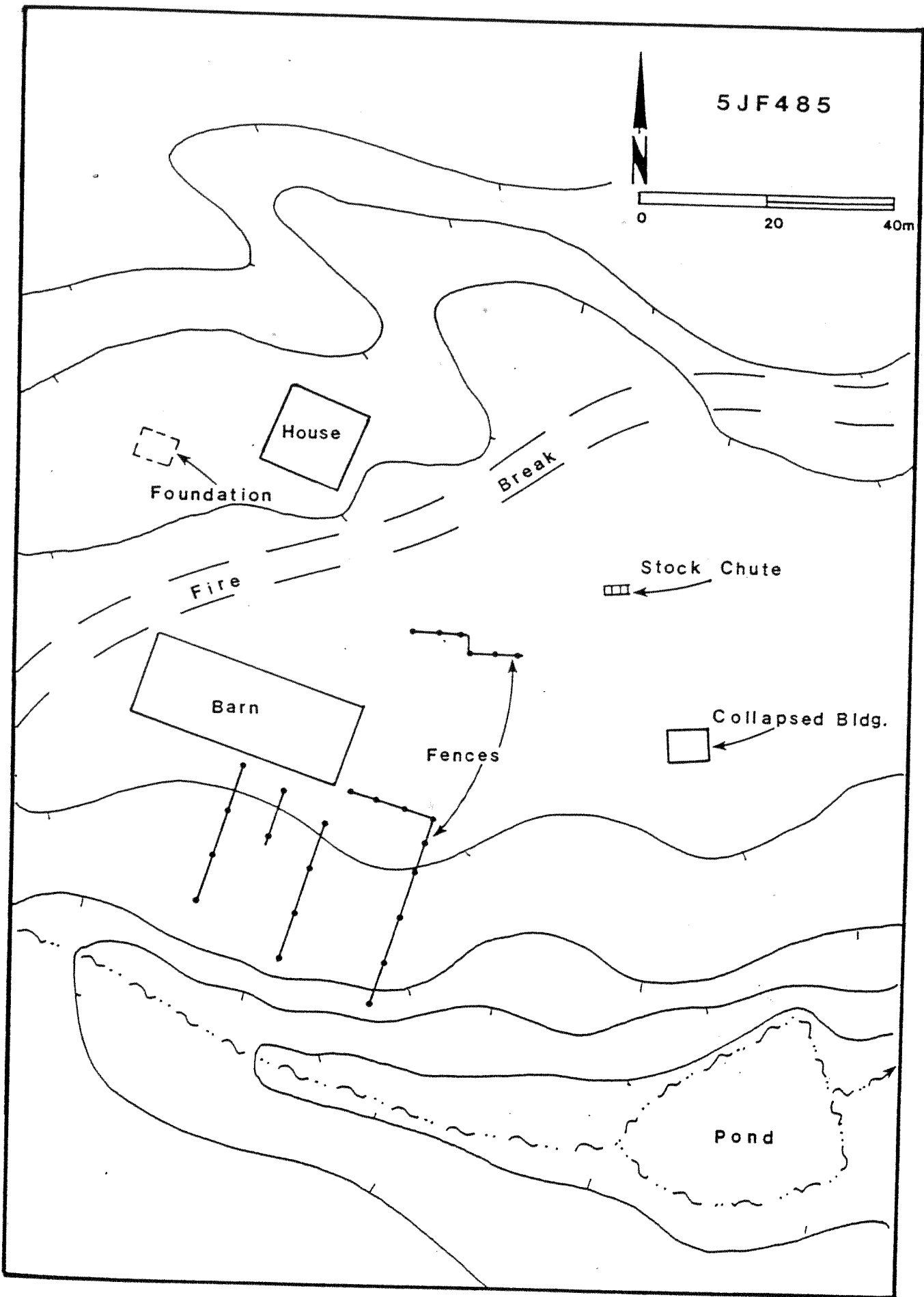
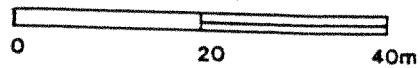


**Enlarged extract from Louisville Quadrant Map, United States
Geological Survey, 1965, Revised 1994.**

By 1899, the property that would become the North Lindsay Ranch had been combined into a 640-acre ranch owned by R. W. Jones, with acreage in Sections 2, 3, and 9 extending north to the Boulder-Jefferson County line (see *1899 Willits Map*).¹ The only structure identified on the 1899 map is a corral that appears to have been in the vicinity of the present-day corral system.

¹ Willits, W. C., *Willits Farm Map [portions of Jefferson, Arapahoe (including Denver) Adams, Boulder, Douglas, and Weld Counties, Colorado]*. Denver: W. Willits, 1899. Scale 1:40,000.

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City of Boulder Open Space & Mountain Parks

P.O. Box 791, Boulder, CO 80306; 303-441-3440
www.ci.boulder.co.us/openspace/

March 24, 2008

City of Boulder Open Space and Mountain Parks Project Proposals for Rocky Flats Natural Resources Damages Funding

Acquire land to the west of Rocky Flats (\$?)

Conserve the habitat block and viewshed leveraging off U.S. Fish and Wildlife Service, Jefferson and Boulder County and City of Boulder open space lands. Such an opportunity is rare along the urbanizing mountain front. Acquisition would be contingent on a willing seller. Potential partners include Jefferson County, Boulder County, State Land Board, GOCO and conservation organizations such as The Nature Conservancy.

- Section 16/State Land Board property - Acquire fee interest or conservation easement and acquire or obtain long term control of mineral rights. (\$?)
- Lands just west of the Rocky Flats Refuge - McKay - Acquire fee interest or conservation easement and acquire mineral rights. (\$?)
- Parcels immediately west of open space lands to the west of Rocky Flats– Lippencott and Reynolds Morris - Acquire fee interest or conservation easement. (\$?)
- Parcel on the southwest corner of Highway 93 and 72 - Acquire fee interest or conservation easement and acquire mineral rights. (\$?)

Coal Creek / Rock Creek Restoration and Wildlife Connection

Improve wildlife connectivity of larger grassland habitat blocks, enhance riparian habitat critical to diverse wildlife including federally threatened species such as Preble's meadow jumping mouse, northern leopard frog and neotropical migratory birds, and potentially decrease auto-wildlife collisions on state highways. Potential partners include Jefferson County, Boulder County, Superior, Broomfield, Colorado Department of Transportation, Colorado Division of Wildlife, GOCO and conservation organizations such as Terra Foundation.

- Enlarge and improve concrete culverts for Coal Creek at Highway 93 and Highway 128 and for Rock Creek at Highway 128 (\$ 1/2 to 1 million per underpass)
- Provide fish passage on Coal Creek just north of Highway 128 (\$70,000)
- Fence Coal Creek to exclude cattle (\$100,000)
- Acquire water conservation flows for Coal Creek (\$1 million)



March 24, 2008

Parks and Open Space Department

5201 St. Vrain Road • Longmont, Colorado 80503 • (303) 678-2200 • Fax: (303) 678-6180
Fairgrounds: 9595 Nelson Road • Longmont, Colorado 80501 • (303) 678-6235/441-3927

Boulder County Proposals for Natural Resources Damages Projects Surrounding Rocky Flats

Land Acquisition on Section 16/State Land Board Property

Boulder County considers the highest priority to use NRD and leveraged funds for the acquisition of property, mineral rights, or conservation easements adjacent to Rocky Flats National Wildlife Refuge (RFNWR) and along the Highway 93 corridor. These could include:

- Acquisition of fee interest or conservation easements on part or all of State Land Board Section 16. This purchase provides the best opportunity to create a buffer from development to the south, wildlife connectivity to the southeast, protection of key wildlife and riparian corridors, and to secure the integrity of the RFNWR and Front Range backdrop at the landscape scale. Possible partners include Boulder County, City of Boulder, Jefferson County, and the Nature Conservancy (Boulder County has discussed this proposal with TNC, who indicated interest in assisting with the process). The cost of this proposal is unknown at this time.
- Acquisition of fee interest and long term mineral agreement in the portion of Section 16 known as the Lafarge parcel (as outlined by Jefferson County).
- Acquisition of State Land Board Stewardship Trust Program parcel located within Section 16 which would protection for Women Creek.
- Acquisition of mineral rights that border the NE corner of RFNWR on DOE property and the fee interest or mineral rights to the west and south (Hogan and McKay property) of the RFNWR/DOE.

Coal Creek/Rock Creek Restoration and Wildlife Connection

- Upgrade or replace culverts under SH 128 at Rock Creek and Coal Creek to facilitate the movement of Preble's Meadow Jumping Mouse (PMJM) and other wildlife species north onto Boulder County Parks and Open Space (BCPOS) and City of Boulder Open Space from Rocky Flats. Preble's Meadow Jumping Mouse (PMJM) is known to occur on Rocky Flats, but has not been found on adjoining BCPOS properties downstream on Rock Creek. The concrete box culvert under SH 128 should be replaced or improved to facilitate wildlife movement. Estimated costs range from \$4,000/linear foot to replace the culvert with a natural bottom and higher terraces for small wildlife movement to \$20/linear foot for the installation of ledges for small mammal movement. The project would include improving connectivity and habitat at the culvert outfalls, which currently prohibit PMJM movement. The Colorado Department of Transportation and City of Boulder Open Space and Mountain Parks are partners.
 - Coal Creek \$550,000 at \$4,000/lf
 - Rock Creek \$4,000 to \$800,000
- Restore Preble's Meadow Jumping Mouse Habitat along Rock Creek: This project would need to occur in conjunction with the above project to upgrade the wildlife underpass at SH 128 and

Rock Creek to allow PMJM to move from Rocky Flats downstream to BCPOS. Includes riparian restoration on degraded sections of Rock Creek. BCPOS is currently partnering with the Urban Drainage and Flood Control District and has matching funds from this agency to address excessive stream erosion problems on a portion of Rock Creek. Contract raise and plant desirable native vegetation along portions of Rock Creek that currently have sparse vegetative cover for PMJM (see native plant propagation project below). In addition to the Urban Drainage and Flood Control District, potential partners include the Colorado Division of Wildlife.

- Riparian fencing to control livestock grazing on Coal Creek and Rock Creek. The City of Boulder Open Space and Mountain Parks is a partner. Estimate total \$100,000.

Prairie Restoration/Native Plant Propagation Program

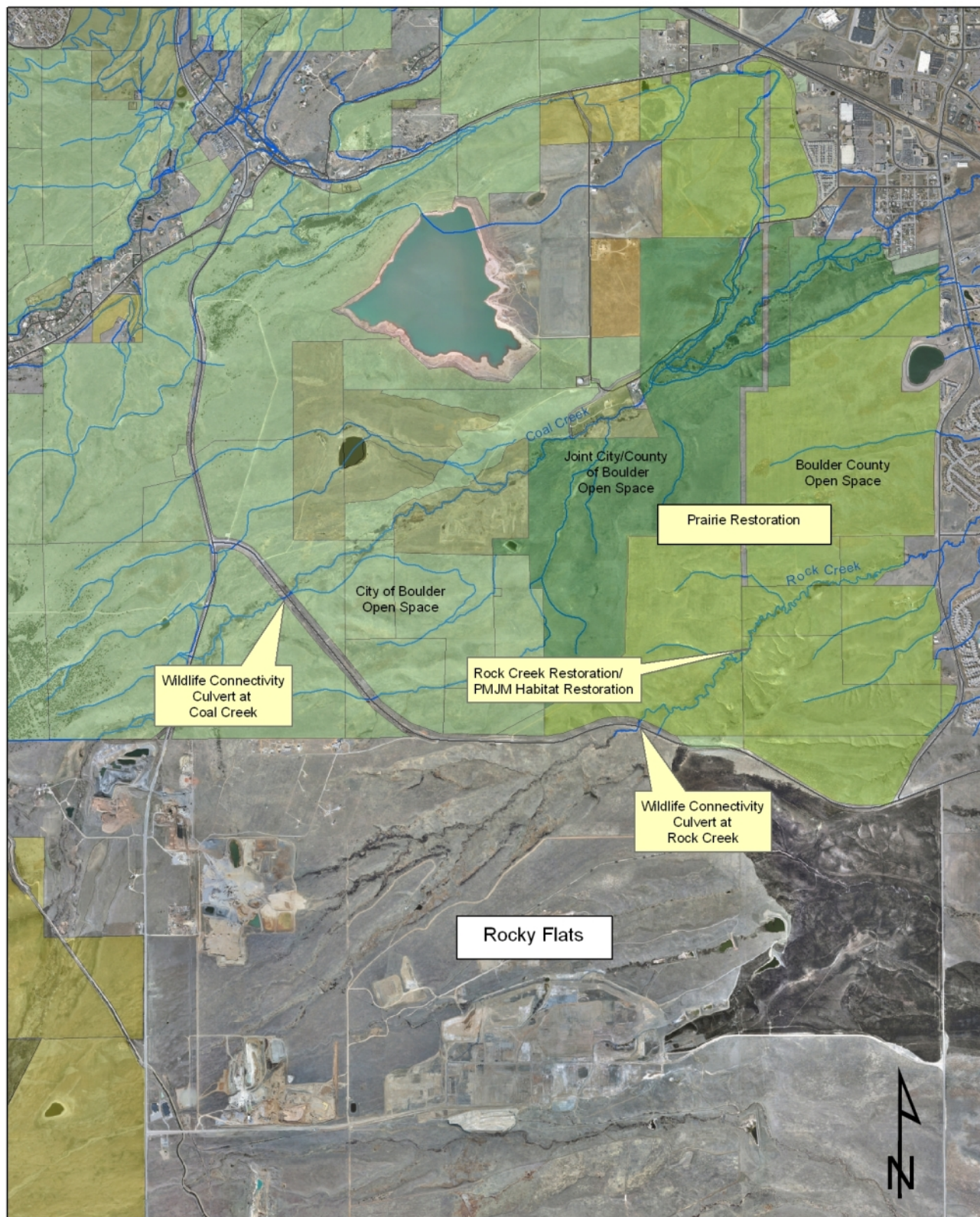
Restore degraded portions of the contiguous prairie ecosystems owned by BCPOS and City of Boulder Open Space. Restore the Xeric Tallgrass Community, a rare plant community, found on Rocky Flats and surrounding properties. Form an interagency group to collect and raise native plant species that are locally native and unavailable commercially for purchase. This Native Plant Propagation Program would be modeled after The Uncompahgre Plateau Project on the Western Slope (http://www.upproject.org/cpnativeplant_program/native%20plant_main.htm).

BCPOS is currently partnering with the National Fish and Wildlife Foundation and the USDA Natural Resources Conservation Service Plant Material Center in Los Lunas, New Mexico to raise seed from locally collected xeric big bluestem (*Andropogon gerardii*), a local ecotype of big bluestem grass that is adapted to the low precipitation of the Colorado Front Range. Xeric big bluestem is one of the dominant species in the Xeric Tallgrass Grassland Community that is recognized in the Rocky Flats National Wildlife Refuge Comprehensive Conservation Plan as a rare plant community. BCPOS received a grant this year for just under \$50,000 from the National Fish and Wildlife Foundation to use for raising native plant materials throughout Boulder County, including xeric big bluestem. Native plant propagation would include raising native species for Preble's Meadow Jumping Mouse habitat restoration.

Prairie restoration would include integrated weed management, as noxious weeds are a major threat to prairies and wildlife habitat loss. This project would benefit a variety of wildlife species. Additional partners include the City of Boulder Open Space and Mountain Parks, the Colorado Division of Wildlife, Jefferson County Nature Association, and Wildlands Restoration Volunteers. Other potential partners include the US Fish and Wildlife Service, and Jefferson County Open Space.

Costs vary on this project from \$50,000 to \$500,000.

Habitat Restoration Projects on Open Space Surrounding Rocky Flats



- | | |
|--|--|
| City of Boulder Open Space | County Open Space |
| City of Boulder Open Space, CE | County Conservation Easement |
| City of Boulder, Restricted Open Space | Other |
| Joint City /County Open Space | Jefferson County Open Space |
| Roads | Streams |



DISCLAIMER:
This map is for illustrative purposes only, and is not suitable for parcel specific decision making. The areas depicted here are approximate. More site specific studies may be required to draw accurate conclusions.

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THE CITY AND COUNTY OF BROOMFIELD

One DesCombes Drive, Broomfield, Colorado 80020

To: The Rocky Flats Stewardship Council/Rocky Flats Natural Resource Trustees

From: The City and County of Broomfield

RE: Potential Uses of the Rocky Flats Natural Resource Damage Funds

Date: March 24, 2008

The City and County of Broomfield supports the restoration of Section 16 to preserve and restore the native xeric tallgrass prairie that buffers the southwest boundary at Rocky Flats. This recommendation is consistent with the refuge purpose of restoring and preserving native ecosystems. Broomfield also recommends funds be used for the Highway 93 Wildlife Mitigation Corridor. Ungulate populations migrate from the foothills down to the prairie to reside and/or calve within the refuge. To foster beneficial partnerships with the Fish and Wildlife Service and surrounding governments to protect habitat and promote enhancement and preservation of habitat and wildlife species, we recommend funds be used for these two projects that have direct benefit to the Rocky Flats Wildlife Refuge.

As surrounding communities have also been asked to identify additional projects, Broomfield would like to recommend two projects that could be funded with Natural Resource Damage Funds ("NRD Funds") that are within the City and County of Broomfield. The projects are described below:

I. Open Space Acquisition Adjacent to the Northeast Corner of Rocky Flats

The Proposed Open Space is situated just south of State Highway 128 and east of Indiana Street. Parcel 1 (western parcel) is 30 acres and Parcel 2 (eastern parcel) is 50 acres for a total acquisition area of 80 acres.

The Proposed Open Space is also adjacent to Broomfield's Great Western Reservoir Open Space site that is approximately 755 acres in size. The Great Western Reservoir Open Space contains a 131-acre reservoir, over 150-acre prairie dog preservation area, and has an abundance of other wildlife such as hawks, coyotes, and foxes.

These two Proposed Open Space sites are also listed in Broomfield's Open Space, Parks, Recreation, and Trails Master Plan as priority sites for acquisition because of the close proximity to larger open space areas such as the Rocky Flats Wildlife Refuge and the Great Western Reservoir Open Space site.

If there is interest in pursuing this project on the part of the Trustees, the Broomfield City Council would discuss the level of matching funds that could be provided.

Refer to **Map 1** of Open Space Acquisition

II. Walnut Creek/Great Western Open Space Rehabilitation

Great Western Reservoir Open Space and Walnut Creek are vital pieces of open space within the county. These areas have a wide variety of both plant and animal species. The riparian area around Walnut Creek is especially rich bird and wildlife habitat. Currently many different waterfowl species use the reservoir on a regular basis. There is a coyote den south of the creek along the southern edge of the property. Coyotes and badgers have been seen hunting in the creek watershed within the prairie dog colonies. Golden and Bald eagles are regular visitors as well as many different hawk and falcon species.



Canada thistle



Poison hemlock



Common mullein



Russian olive

However, weed problems exist on these lands. Broomfield proposes to complete restoration work around the prairie dog colony north of Walnut Creek to buffer the Walnut Creek area. Common weeds on the property are: Common mullein, Common teasel, Scotch thistle, Canada thistle, Russian olive, Burdock, Poison hemlock, Curlydock, Prickly lettuce, Field bindweed, Musk thistle, Moth mullein, Dalmatian toadflax, Tumble mustard and Diffuse knapweed. Below are several pictures of some of these common weeds. Most of these weeds are also on the Colorado State Noxious Weed list.



North side restoration area: Edge of prairie dog colony delineated by grasses

In addition to the north restoration area, Broomfield proposes to do broadcast applications of seed along the ditch to mitigate erosion. The seed mix used would be a native mix to diversify the existing species as most of this area is smooth brome.

Erosion is also occurring along Walnut Creek and the addition of trees and shrubs species would help to minimize this problem. There are currently smaller cottonwoods and willow thickets present in the area but adding smaller shrubs such as American plum (*Prunus American*), Western Sand Cherry (*Prunus bessevi*) and Thinleaf alder (*Alnus tenuifolia*) would enhance the appearance of the area and the wildlife habitat. Also adding several larger tree species such as Western Cottonwood (*Populus sargentii*) and Narrowleaf cottonwood (*Populus angustifolia*) would improve wildlife habitat and aid in soil stabilization. The addition of larger trees would increase natural predation on the prairie dog colony which is already at capacity for the site.

Refer to **Map 2** for Restoration Project Location.

COSTS ASSOCIATED WITH RESTORATION (WEED CONTROL AND PLANTING):

Plant materials:

1. Thinleaf alder (5 Gal. Con.) 20 trees @ \$15.50 each= \$310.00
2. American plum (5 Gal. Con.) 25 trees @ \$11.95 each=
\$298.75
3. Western Sand cherry (5 Gal. Con.) 20 trees @ \$11.95 each= \$239.00
4. Narrowleaf cottonwood (BB) 2" caliper 4 trees @ \$185 each= \$740.00
5. Western cottonwood (BB) 2" caliper 3 Trees @ \$185 each= \$555.00

Seed materials:

Native Grass mix for reclamation areas: total acres= Approximately 15.05 acres to be seeded.

Approximate amount of seed: 10.48 PLS (Lbs of live seed) at 17.89 acres = 187 Lbs of seed * \$7.00 (cost per pound of seed) = \$1309.00

Contract services:

Cost of Reclamation work if done by contractual services: Approximate cost per acre is approximately \$1200.00/ acre * 20.93 Acres= \$25,116.00

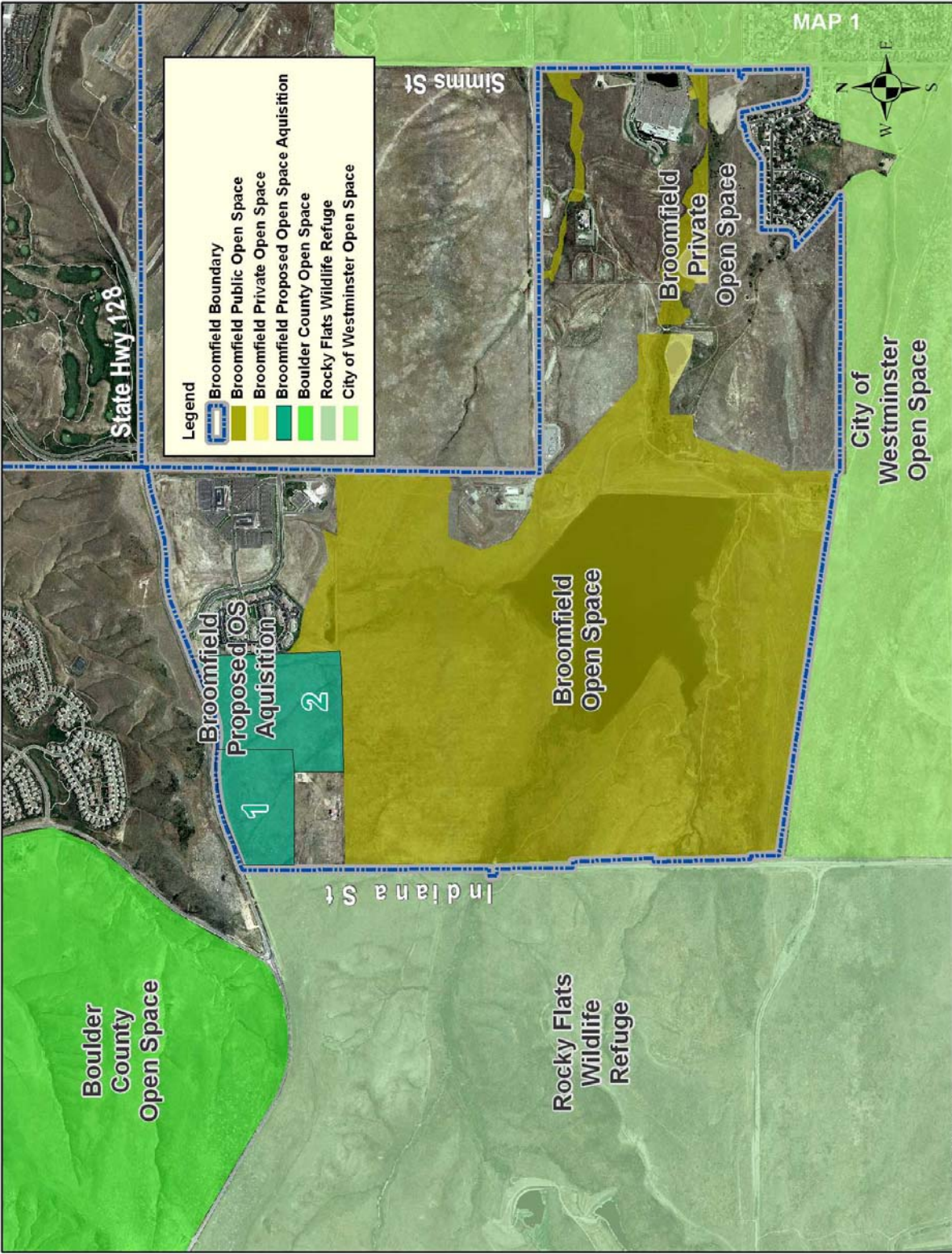
Chemical Supplies:

Milestone herbicide: \$261.00/ Gallon * 3 Gallons needed= \$783.00

Total Cost (rounded): **\$30,000**

Refer to **Map 3** for identification of proposed Open Space acquisition and Open Space Restoration area

If there are any additional questions, please contact Kristan Pritz, Director of Open Space and Trails at 303-438-6335 or email at kpritz@ci.broomfield.co.us. or Shirley Garcia, Environmental Coordinator at 303-438-6329 or email sgarcia@broomfield.org



Legend

- Broomfield Boundary
- Broomfield Public Open Space
- Broomfield Private Open Space
- Broomfield Proposed Open Space Acquisition
- Boulder County Open Space
- Rocky Flats Wildlife Refuge
- City of Westminister Open Space

MAP 1



State Hwy 128

Simms St

Broomfield Private Open Space

City of Westminister Open Space

Broomfield Proposed OS Acquisition

1

2

Broomfield Open Space

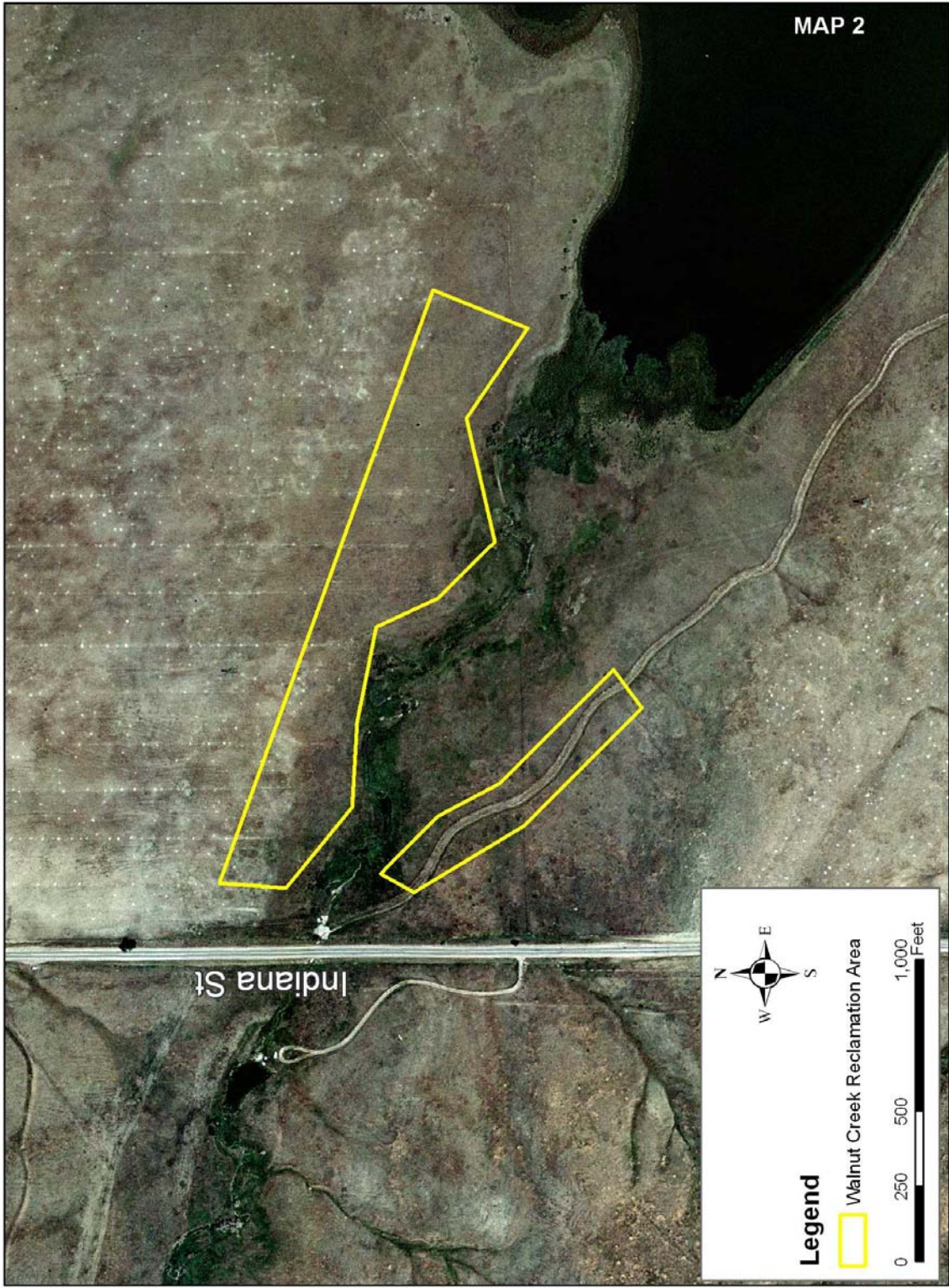
Indiana St

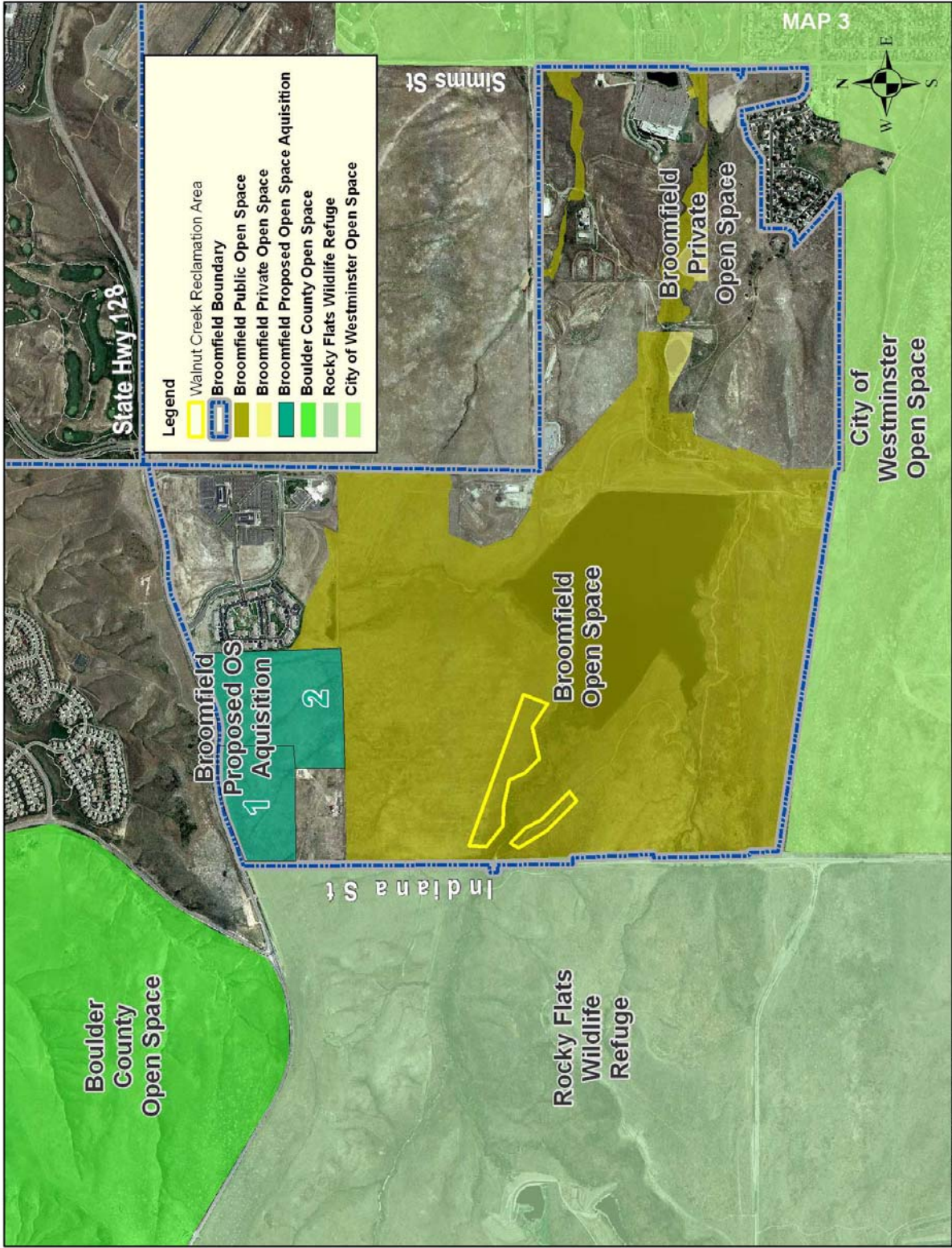
Boulder County Open Space

Rocky Flats Wildlife Refuge

Application: 10 open_Spaces/County_ and City/07/18/11.mxd

Walnut Creek Reclamation

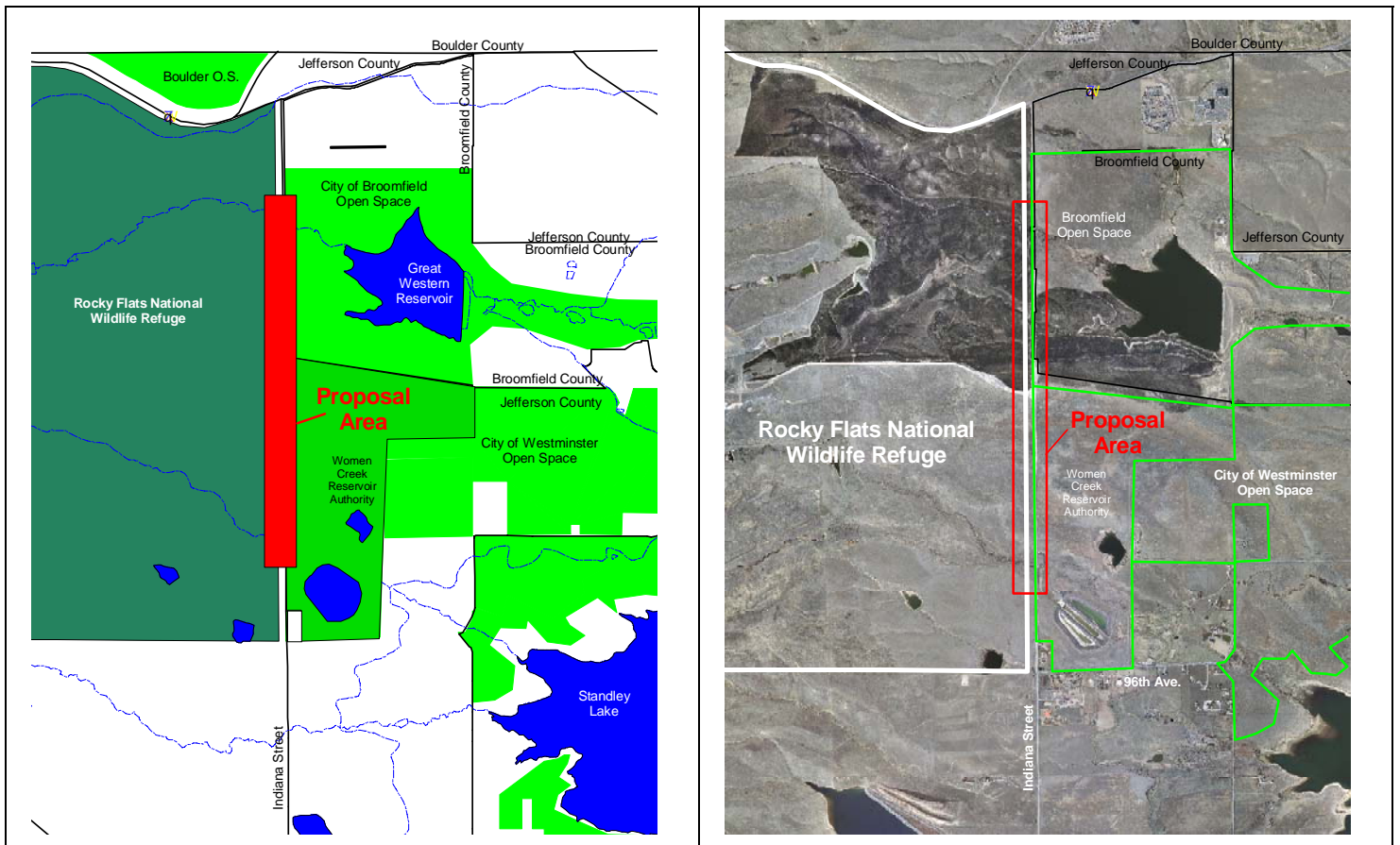




Jefferson County

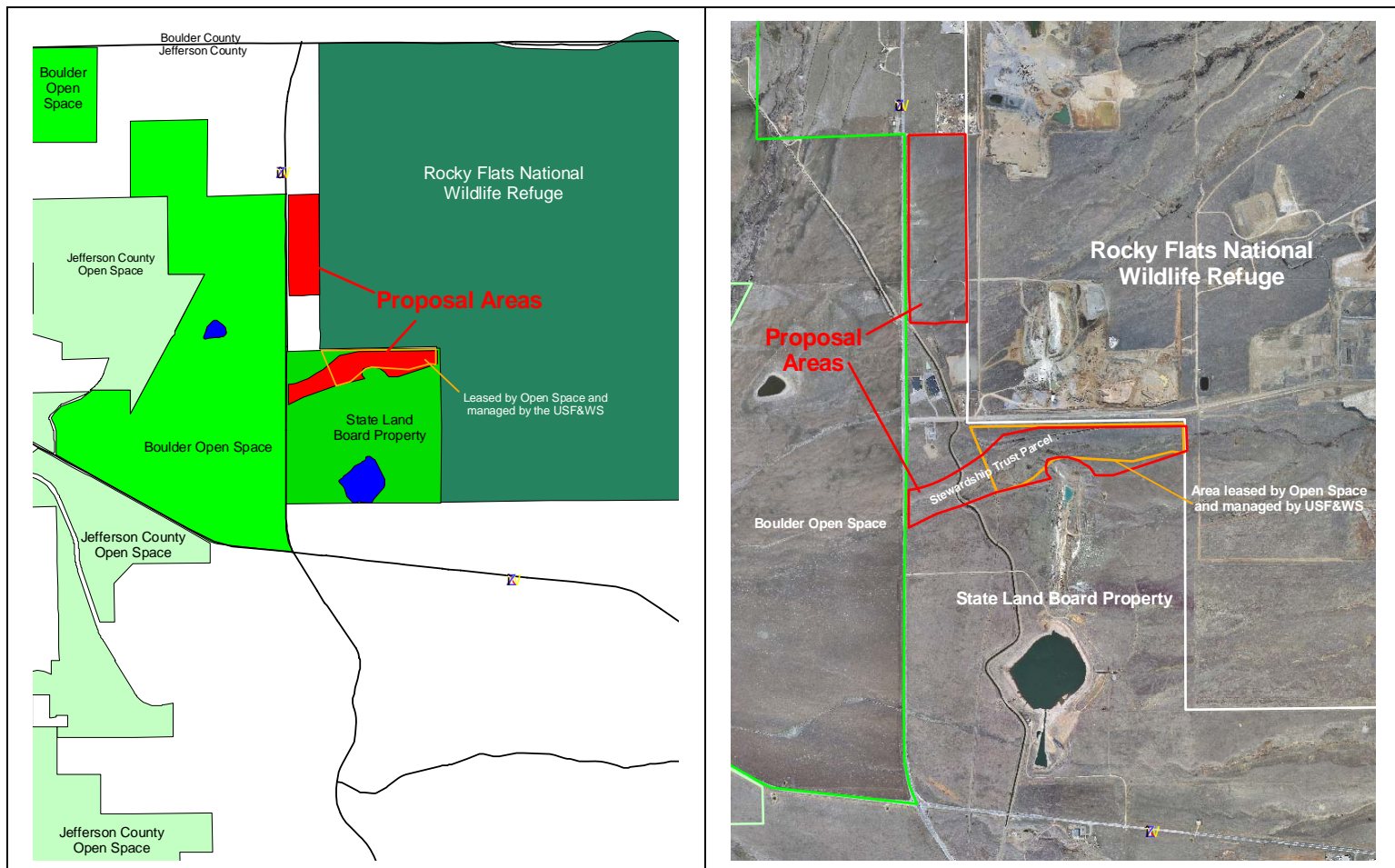
Indiana Street Proposal Area:

This project would consist of developing one or more wildlife underpasses/overpasses. This project would be located contiguous to the east boundary of the Rocky Flats National Wildlife Refuge (Refuge) along Indiana Street. Indiana Street fragments the habitat and movement of wildlife from the Refuge on the west to open space areas to the east. The two major drainages in this area, Walnut and Women Creeks, both contain populations of the federally threatened species, the Preble's meadow jumping mouse and would benefit from a wider underpass that would allow for better movement of the mouse. There are also three areas where there are road cuts on both sides of Indiana Street that could support the development of wildlife overpasses. The best placement of these wildlife crossing will need to be determined through coordination with the Colorado Division of Wildlife and the Fish and Wildlife Service. The cost of these structures is not know at this time and will depend on the number and type of crossings developed. Jefferson County may be able to provide some matching funds from its Open Space Program. The following maps show the location of this proposal.



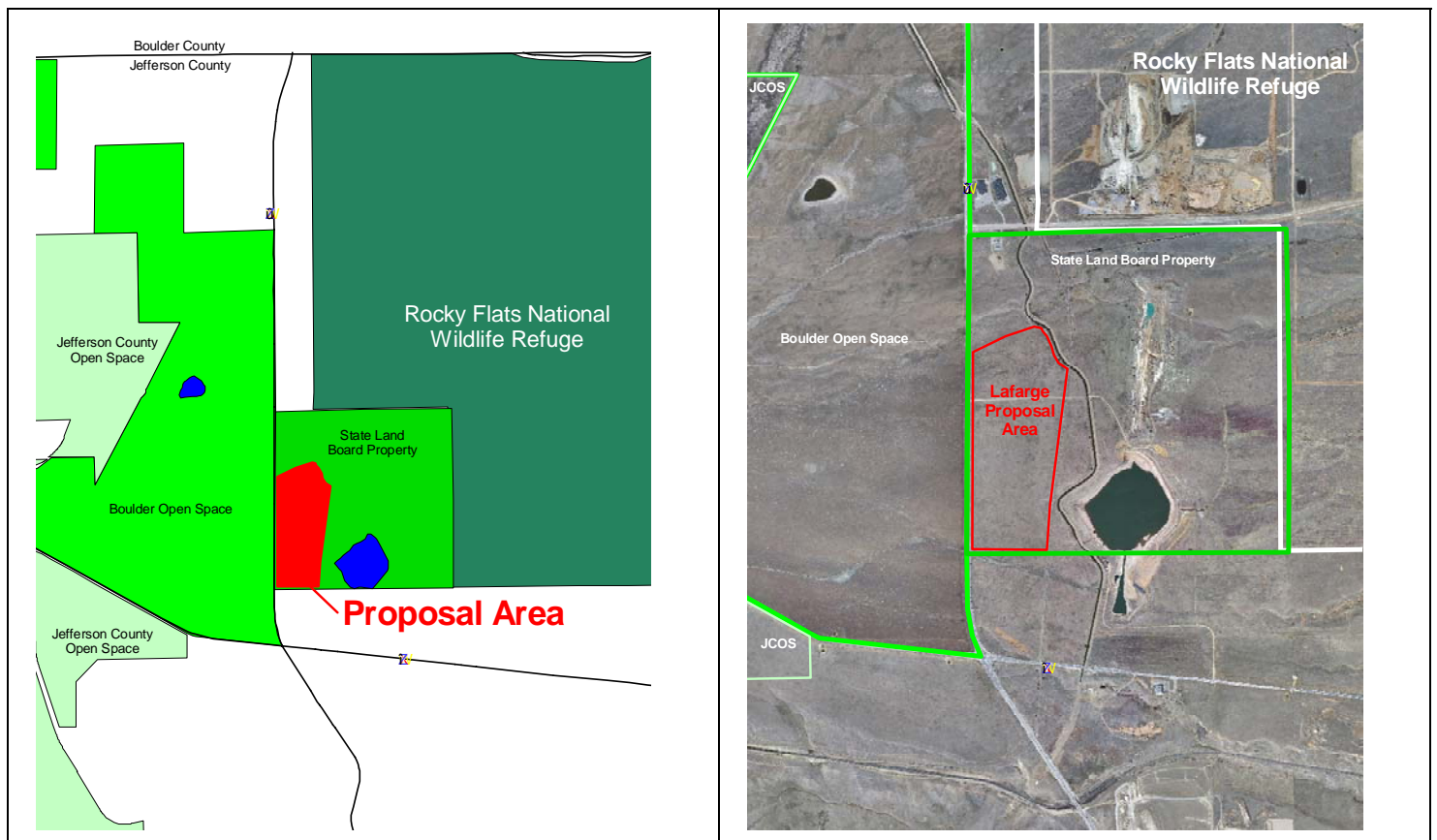
West Proposal Areas:

This project has two goals. One is to make improvements that would develop a wildlife underpass for State Highway 93, improve the riparian vegetation along Women Creek and provide a crossing over the Boulder Diversion Ditch. The second part of this proposal consists of acquiring long term property rights that would preserve the 105 acres that the State Land Board set aside in their Stewardship Trust Program. The cost of this proposal is unknown at this time. Jefferson County may be able to provide some matching funds from its Open Space Program. This project area is located about ¼-mile south of the west entrance road to the Refuge along Women Creek on property owned by the State of Colorado Board of Land Commissioners (Land Board). Women Creek contains a population of the federally listed threatened species, the Preble's meadow jumping mouse and a rare grass species, the forktip threawn. This area coincides with the 105 acres designated by the State Land Board as part of their Stewardship Trust Program. Jefferson County Open Space currently has a 30 year lease on approximately 60 acres of the northeastern portion of Section 16 along with a management agreement with the U.S. Fish and Wildlife Service to manage for the establishment of native vegetation beneficial to wildlife. There is also a possibility of obtaining of wildlife movement corridor further north along State Highway 93 at the headwaters of Rock Creek if an agreement could be worked out with the private landowner that would not adversely impact their future development plans.



Lafarge Proposal Area:

This project would consist of acquiring the surface rights through a long term lease or purchase of approximately 106 acres from the State Land Board. In addition, the project would also acquire a long term lease for the mineral rights since the State Land Board cannot sell these rights. This is needed to protect the surface rights. This parcel is located in the southwestern corner of Section 16 approximately ¼ mile north of the intersection of State Highways 93 and 72. This parcel contains one of the few areas of the xeric tall-grass prairie grassland community and some of the oldest soil types found in Jefferson County. This grassland type is rare and if disturbed, it is unlikely that it could be reestablished to its original condition. The acquisition of this parcel would serve to replace similar grassland areas on the Rocky Flats National Wildlife Refuge that have been disturbed by mining in the past and preserve one of the few remaining remnants of this rare grassland community. The cost of acquiring these rights is unknown at this time. Lafarge West Inc. is currently leasing this parcel from the State Land Board for future mining operations. Lafarge has agreed to forego mining this parcel and assist Jefferson County in achieving long-term preservation of the tall-grass prairie. Jefferson County may be able to provide some matching funds from its Open Space Program. The following maps show the location of this proposal.



City of Westminster

ROCKY FLATS WILDLIFE REFUGE POSSIBLE USES OF NATURAL RESOURCE DAMAGE (NRD) FUNDS

Protection of wildlife corridors through acquisitions

The City of Westminster supports using Natural Resource Damage (NRD) funds for acquisition of lands surrounding Rocky Flats. Acquisition of lands surrounding Rocky Flats will protect wildlife corridors and provide a buffer for the refuge. In particular, the City would support use of funds to acquire properties located on the east side of Indiana Street within unincorporated Jefferson County. The City of Westminster owns approximately 3,200 acres within the Westminster Hills Open Space area which abuts the Rocky Flats Wildlife Refuge and is adjacent to Standley Lake Regional Park. Preservation of these parcels will help to create a continuous wildlife corridor from Rocky Flats to Standley Lake Regional Park. Preservation of these properties will also help to buffer and protect the bald eagles' nest located on the northwest side of Standley Lake Regional Park. The bald eagles hunt on the Westminster Hills Open Space area to the north and on the Wildlife Refuge to the west. Development of the lands to the north and west of Standley Lake would have a negative impact on habitat for the eagle's prey.

Priority properties to acquire by fee title or conservation easement are shown on the attached map and described below:

1. Sisters of the New Covenant- 30 acres. This parcel is a critical inholding within the Westminster Hills Open Space area. The entire parcel falls into the .5 mile buffer around the Bald Eagles nest. Even within this .5 mile radius however, development is allowed to occur. It is currently used by the Catholic Church but is under development pressure. Development would negatively impact the entire Westminster Hills Open Space area, as well as the nearby bald eagle nest.
2. Northwest corner of 96th Avenue and Alkire Street- 65 acres. Preserving Woman Creek and its associated riparian areas from Rocky Flats to Standley Lake is critical for protecting this wildlife corridor. There are eleven parcels with six owners within this area. Woman Creek flows through the southern part of these properties.
3. Brian Zehnder/Stoney Creek Golf Course- 38 acres. This property is located to the west of the property described above and also contains Woman Creek. Preservation of this parcel is also critical to maintaining a wildlife corridor from Rocky Flats to Standley Lake.
4. Big Dry Creek property- 100 acres. This parcel is located west of Standley Lake and slightly south of Rocky Flats. The Big Dry Creek watershed originates at the mouth of Coal Creek Canyon and flows to its confluence with the South Platte River in Weld

County. Big Dry Creek runs the length of this property into Standley Lake. Preservation of this site will enlarge the wildlife buffer on the west side of Standley Lake.

NRD funds can be leveraged with local and grant funds as match. The City of Westminster will support these acquisitions with local funds from its Parks, Open Space, and Trails fund. The City would also seek financial participation from Jefferson County for these acquisitions since these properties are unincorporated. These properties are all under the threat of development, which would negatively impact wildlife's ability to use this area as a corridor from the foothills, through Rocky Flats, and to Standley Lake.

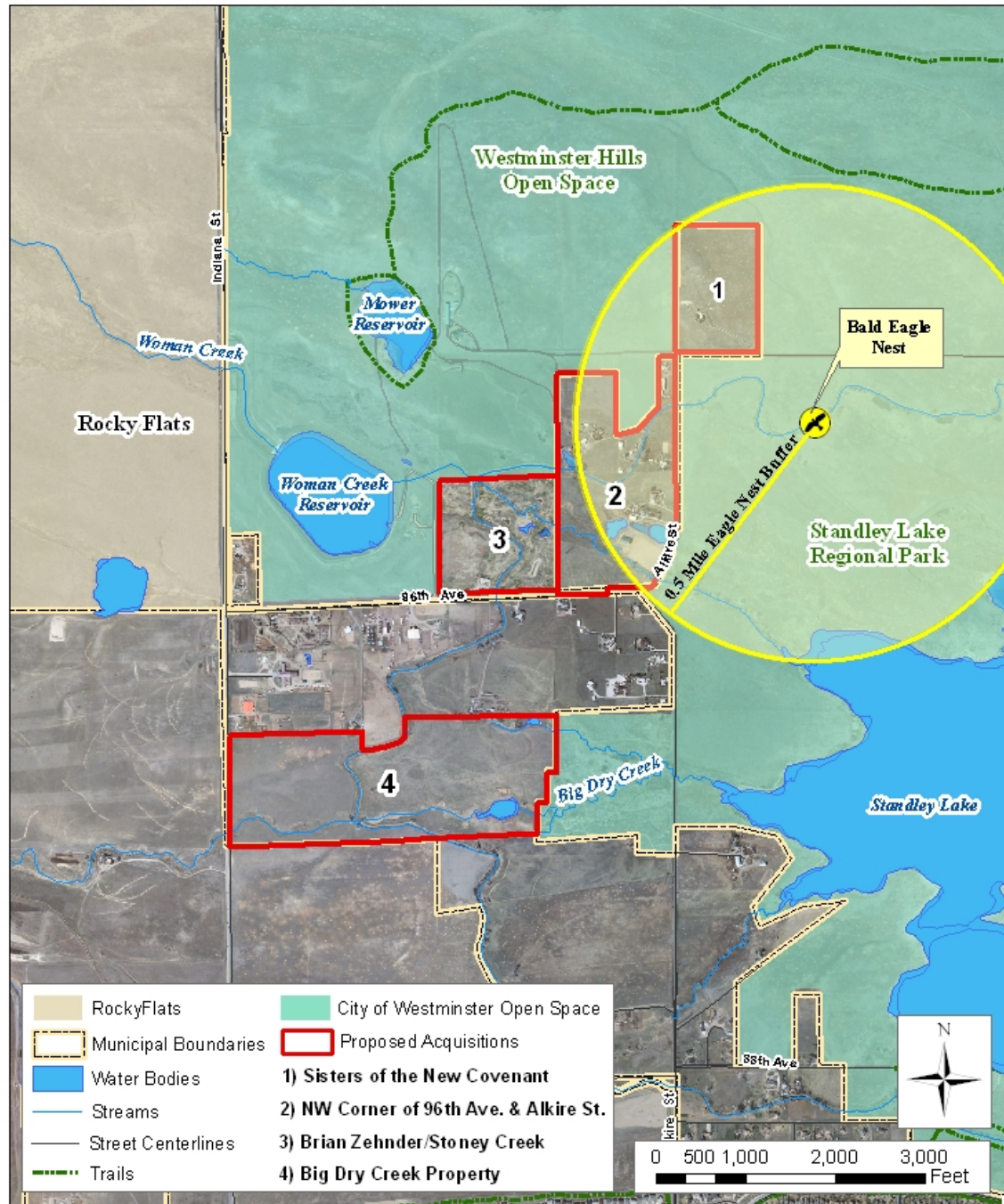
Wildlife Crossings

Wildlife crossings on the west side of Rocky Flats along State Highway 93 are critical for the movement and migration of wildlife to and from the mountain back drop. NRD funds should be considered to accommodate the movement of wildlife over or under State Highway 93. A concern also exists along Indiana or the proposed Northwest Parkway, which is extremely important to maintaining connectivity between Rocky Flats and the vast acres of open space on the east side of Indiana. There are no design plans completed for the Northwest Parkway. However, if Indiana Street is widened or if the Northwest Parkway is built through this area by state, federal or local governments, the City of Westminster will advocate a wildlife crossing be part of the design to allow for a crossing (underpass and/or overpass) at Woman Creek.

Section 16 Restoration

The City of Westminster also supports use of NRD funds for Section 16 restoration of the xeric tallgrass prairie community.

Rocky Flats National Wildlife Refuge NRD Fund Proposed Acquisitions



JCNA Proposal

David,

JCNA appreciates the opportunity to contribute a proposal for use of the NRD funds. Since our wishes overlap so much with the proposals presented by others at the March 10th NRD meeting, we view our role as providing information, focus, and perspective on the Section 16 components of several of the other proposals.

JCNA's particular interest is in preserving those portions of Section 16 that have been minimally disturbed and that support unique xeric tallgrass prairie or riparian habitat for Preble's meadow jumping mouse and for an elk migration corridor. Consequently, we propose that the surface and mineral rights in the northern and western portions of Section 16 be acquired or otherwise protected from disturbance. We want to make you aware of several sources of information regarding the importance of Section 16:

- An attached file (Xeric Tallgrass Prairie in Section 16_Final.doc) describes the value of the prairie, particularly in the western portion of Section 16, and contains a map. On this map, the northern portion of Section 16 includes the Stewardship Trust Area, which is wide in the eastern half of section 16, but narrows in the western half plus the land between it and the section line—areas that are crosshatched. We would like to see the northern protected area widened to include all of the northwestern corner of the section to create a far wider wildlife corridor through the section. The western portion of Section 16 includes the area west of the Denver Water ditch—an area that is shaded on the map.
- A second attached file (5-Year Study Sect 16 History.doc) describes extensive scientific data that were collected on Section 16 over a five-year period, but have never been released. We would like to see these data made available to support NRD and other decisions and are hopeful that the Stewardship Council can facilitate this.
- A third attached file (Present&Impending Uses16 RF.doc) describes current and impending threats to the ecology of Section 16.
- Finally, data aggregated through NJAG (North Jeffco Area Group), an aggregation of public and private groups including JCNA and with interest in northern Jefferson County, are available on a CD. These data include PDF files, photographs, and GIS file sets that should provide a good starting place for Stratus as they aggregate information to aid in planning NRD-funded projects. JCNA is glad to make this CD available to the group, asking only that it be cited. Please let us know how best to get the CD into the right hands.

JCNA believes that the northern portion of Section 16, which contains Woman Creek, can effectively provide Preble's mouse habitat and an elk migration corridor between the Rocky Flats NWR and the City of Boulder Jewell Mountain property to the west (Open Space.pdf map attached from the NJAG CD) but across SH 93. Enhancement of the prairie riparian habitat in this area would also benefit habitat and species diversity, as well as potentially support sharp-

tailed grouse at some time in the future, if this is collectively supported. We would like to see the wildlife crossing of SH 93 proposed by the U.S. Fish and Wildlife Service developed in this northern portion of Section 16, perhaps as a wildlife overpass, but possibly as a traffic tunnel or traffic bridge if these are less costly. In addition, protection of the western portion of Section 16 would preserve a unique plant community, protect a unique ecosystem for scientific study, and benefit the ecological diversity of regional open space.

Please give us a call if you have questions or would like clarification of this input. We will send a copy of the NJAG CD to whatever address you specify. Thanks again for the opportunity to be involved in this collaborative effort!

Jean

D. Jean Tate, Ph.D.

Enviro-Support, Inc.
7485 Quartz Street
Arvada, CO 80007
303.403.4748 (phone)
720.341.9254 (cell)
jeantate@enviro-support.com

Xeric Tallgrass Prairie in Section 16 at Rocky Flats

A type of xeric tallgrass prairie dominates the western Rocky Flats alluvial surface in the northern part of Jefferson County just east of the foothills of the Front Range. This plant community occupies a very few square miles of the western edge of the Great Plains where slightly elevated moisture, slightly cooler climate and soils that are rocky, highly permeable, and very old combine to provide ideal growing conditions for this unique assemblage of grassland species. This ancient ecosystem has highly developed soils and plant ecological characteristics. It occupies ground that dates to approximately 2 million years ago.

The centerpiece of this unique grassland ecosystem is Section 16. More specifically, the relatively undisturbed western 100 acres running north and south along, and immediately east of, Highway 93 includes a large portion of the remaining examples of this ancient grassland ecosystem. This portion of Section 16 contains the most homogeneous and weed-invasion - resistant part of the ancient ecosystem, and is of paramount botanical value.

The xeric tallgrass prairie in the western 100 acres of Section 16 consists of a mixture of about 50 species of grasses and forbs. Grass species are clearly dominant, but forbs add a colorful aspect of white, yellow, blue and purple flowers through the year. The uniqueness of the grassland species is in the mix of grasses and forbs, some originating in the eastern prairie and some in the western mountains. Nowhere else in Colorado, nor indeed the country, does this special blend occur. The dominants from the eastern prairies are big bluestem, along with yellow Indiangrass and little bluestem. Dominants from the cooler, higher elevations further west include mountain muhly grass, Porter aster, and Fendler sandwort. The latter species typically occur only sparsely and very occasionally rather than as community dominants. The eastern prairie species are most extensively present in the wet warm prairies of the central U.S. Their occurrence here appears to be a holdover from past, perhaps long-past, times with much different growing conditions.

Big bluestem and the less common Indian grass, both important eastern tallgrass prairie species, often dominate the grassland in the fall during the best rainfall years. In such years they form an almost complete four-foot-tall grassland hiding the many other species growing beneath. As the grasses mature, flower and turn a highly colorful tawny brown, they form a magnificent foreground to the foothills. In drier years the flowering stalks of these major species are scarce, the plants remain low and vegetative, allowing the myriad other species to show more clearly. The fall aspect of this prairie varies considerably from year to year.

Other common, smaller, but not less important grasses include the western mountain muhly, the ubiquitous Canada bluegrass, the small early flowering sun sedge, the early flowering june grass and little bluestem, another eastern prairie grass and the smaller cousin of big bluestem. Other grasses are common but less widespread than these four, which include both eastern prairie species and two western intermountain ones.

Forbs add color and interest to this grassland. They are a mix of eastern and western species and genera. In the later spring and summer both white and yellow predominate as sandworts, nailworts, senecios, and blanket flowers stand out in the green grassland. In later summer some of the whites, blues and purples of the eastern prairie clovers and scurf peas show their small flowers, along with the yellows of golden aster and buckwheat. Finally, as autumn begins, white porter's aster, purple blazing star, yellow golden rods and tall senecio show their colors. Most abundant and almost confined to this ecosystem is the fall blooming and medium-sized Porter's

aster. This white aster seems to be everywhere, but its small size and small flower hardly dominate the scene.

The unique characteristics of the plant community appear to be directly related to the length of time that these areas have been spared catastrophic disturbance. The habitat offered by these coarse alluvial pediments has remained geologically undisturbed for approximately 2 million years, untouched by the Pleistocene mountain glacial advances and the erosion of these materials that has occurred elsewhere in the area. The soils, and likely many of the plant species, have had very long term development. The soils are among the oldest in Colorado and their subsurface character is likely to be critical to understanding the means by which plants that are out of their "expected" climatic zone can survive for so very long as an integrated, non-invasible unit.

The ecosystem includes not only the prairie above ground, but the soil, fungi, plant roots, insects, invertebrates and mammals that reside under the surface and so enrich that soil. The resulting unique plant communities provide habitat for a complex and integrated ecosystem that includes insects, amphibians, reptiles, birds, and mammals. Species documented across the Rocky Flats site include a minimum of seven species of fish, six species of amphibians, eight species of reptiles, 144 species of birds, and 23 species of mammals. Of particular importance is the use of the Rocky Flats site as a whole by Rocky Mountain elk and mule deer, especially during the winter, black-tailed prairie dog colonies that support diverse raptors, and the presence of Preble's meadow jumping mouse, a species listed as threatened under the Endangered Species Act and primarily dependent on complex riparian communities dominated by shrubs and close to mesic grasslands. Most of these species can be expected to occur in the high quality habitat provided by undisturbed portions of Section 16.

Nonetheless, this section has been subjected to extensive multiple uses. While the surface today is used mainly for cattle grazing, the central portion contains an abandoned clay pit. A water reservoir occupies several acres in the lower center of the section, while a Denver Water ditch, a Rocky Flats railroad track and a buried water pipeline run through the section from north to south. In the northwestern corner a four acre drill pad is actively pumping oil. Furthermore, most of the section has been permitted for graveling in the future. In spite of these multiple uses, most of the present surface land remains covered with native vegetation, albeit with several disturbed weed-infested areas.

The State Land Board, which manages this state-owned land, has twice received Stewardship Trust applications for this section, but both times denied these requests because of the present and future uses scheduled for the section. More recently a Stewardship Trust for 130 acres was approved as possible future Preble's Mouse habitat in the northeast portion of Section 16. This area, which includes the Little Woman Creek valley, is adjacent to documented occurrences of the mouse, and it is hoped that this rare mouse will spread into similar habitat in the section.

Timely preservation of the unique xeric tallgrass prairie covering key parts of this section is highly important because of the continued likelihood of expanded multiple uses. The degree to which this plant community possesses a rare resistance to invasion by opportunistic plant species, as well as other ecological characteristics related to its great antiquity, offers science an opportunity to understand much about what maintains plant community stability. Section 16 contains a truly unique resource not found outside the Rocky Flats area. Beyond its scientific importance, its preservation would allow people a hundred years from now to see, study and enjoy a piece of the grassland heritage that first greeted settlement.

Tallgrass Prairie Five-year Study

JCNA, Jefferson County Open Space, The State Land Board, The Natural Resources Conservation Service and Western Aggregates Mining Co, under the supervision of the Jefferson County Department of Planning and Zoning, agreed in 1995 to a five-year study of xeric tallgrass prairie in Jefferson County. This study was to assess the uniqueness of the stand of this grassland in Section 16 at Rocky Flats. Western, which has now been purchased by LaFarge Mining Co., had applied for a permit to mine in both Sections 16 and 9. They were granted a conditional permit that would be finalized only if the five-year study found the vegetation of the areas not to be “unique.”

The five year study has completed an analysis of xeric tallgrass prairie in southern Boulder County, Rocky Flats Buffer Zone, the Rocky Flats Plains west of the Environmental Technology Site, and few sites south of this area. A total of 169 sites were examined twice each year for five years in this study. The data were analyzed and summarized and a draft final report was issued in 2002. At that time the draft report was approved by all but one of the participants, LaFarge Mining Co, which to date has not even responded to requests for approval. As a consequence, no final report has been issued, and the original field data giving species-specific ecological information remain unavailable for use by scientists.

As soon as the report can be finalized, it will be forwarded to The Jefferson County Commissioners will decide on the suitability of the mining permit for LaFarge. At that time these extensive data will also be made available for use by scientists, natural area planners, and land managers.

Present Uses in Section 16 at Rocky Flats (T2S R70W)

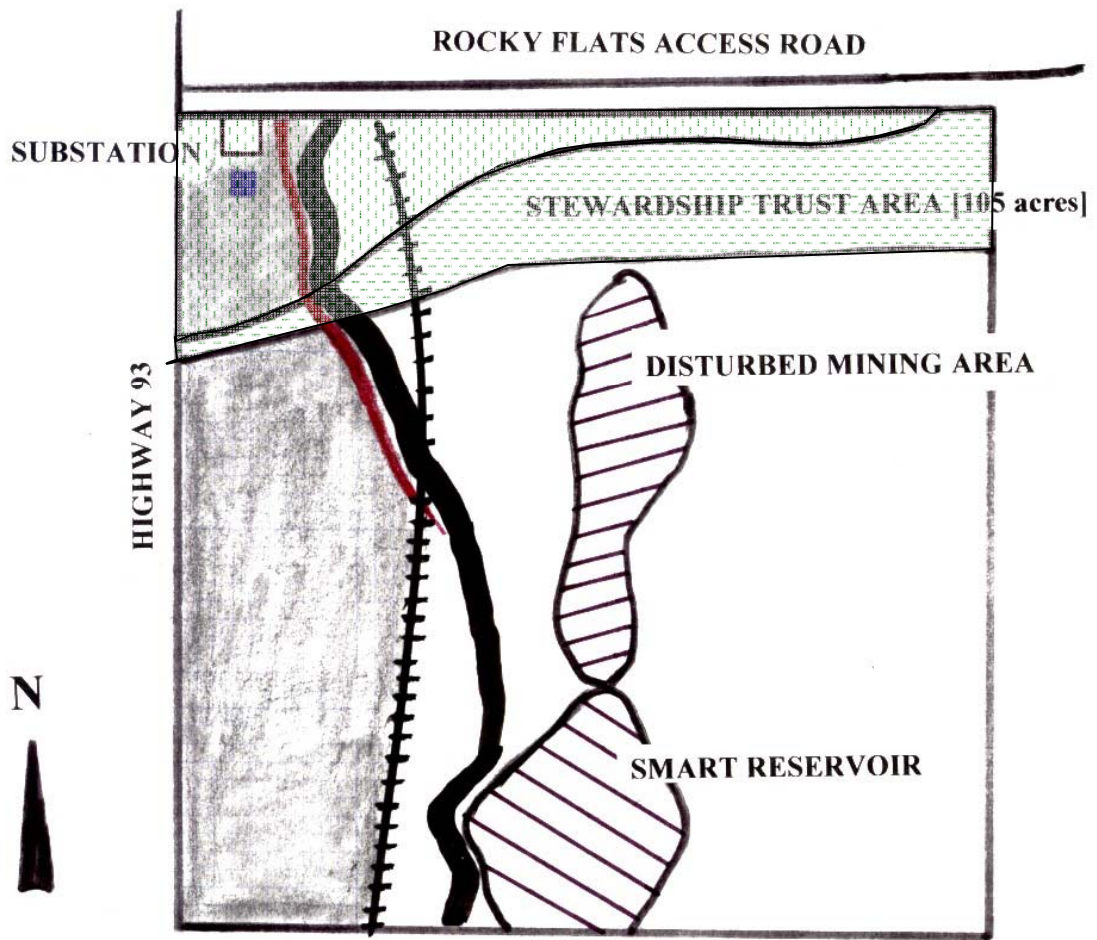
Despite the ecological value of the Section 16 plant communities and habitat they provide, portions of the section have already been disturbed. Specifically, the following disturbances (shown on the map below) exist currently:






1. A 2-acre fenced substation for electric transmission in the NW corner
2. A 4-acre Plainview drill site in the NW corner where drilling has ceased and oil is actively being pumped then carried out by truck
3. A 50-foot-wide disturbed area where a 4-inch water pipeline was installed alongside the Denver Water Ditch
4. The Denver Water Ditch, about 50 feet wide, running through the section from north to south
5. The tracks of a railroad that formerly served Rocky Flats still run from south to north, and (not shown on map) a branch goes east just north of the Stewardship Trust boundary.
6. Old disturbed and abandoned mining area in the center of the section
7. Smart Reservoir in the lower center of the section.

In addition, there are the following impending threats to the ecological integrity of Section 16:

1. All of Section 16 south of the existing Stewardship Trust corridor contains mining leases that could be activated at any time. While LaFarge Mining agreed with Jefferson County to defer mining in this area for 20 years, this agreement is not recognized by the State Land Board.
2. Along the southern boundary of Section 16, a multiuse development originally called Vauxmont is being developed in the City of Arvada. This development includes an office park that will intrude on the Mountain Backdrop. Further, the City of Arvada is currently (April 7, 2008 Council Meeting) considering a request to change the city's height limitations from 35 feet to 85 feet, and the Arvada Planning Commission has recommended approval of this proposal. There could be high-rise buildings just south of Section 16.

SECTION 16 at ROCKY FLATS [T2S R70W]



-  PROPOSED STEWARDSHIP TRUST ADDITION [ca. 100 acres]
-  DENVER WATER DITCH
-  RAILROAD LINE
-  WATER PIPELINE [2006]
-  PLAINVIEW DRILL SITE

NJAG

Map of Open Space and Natural Lands

Open Space

- Rocky Flats
- Boulder County
- Jefferson County
- Arvada
- City of Boulder
- Broomfield
- Westminster

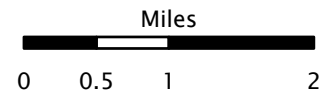
Other Open Lands

- BFI Property
- Conservation Easements
- Denver Water
- Nat Wind Tech Center
- State Land Board

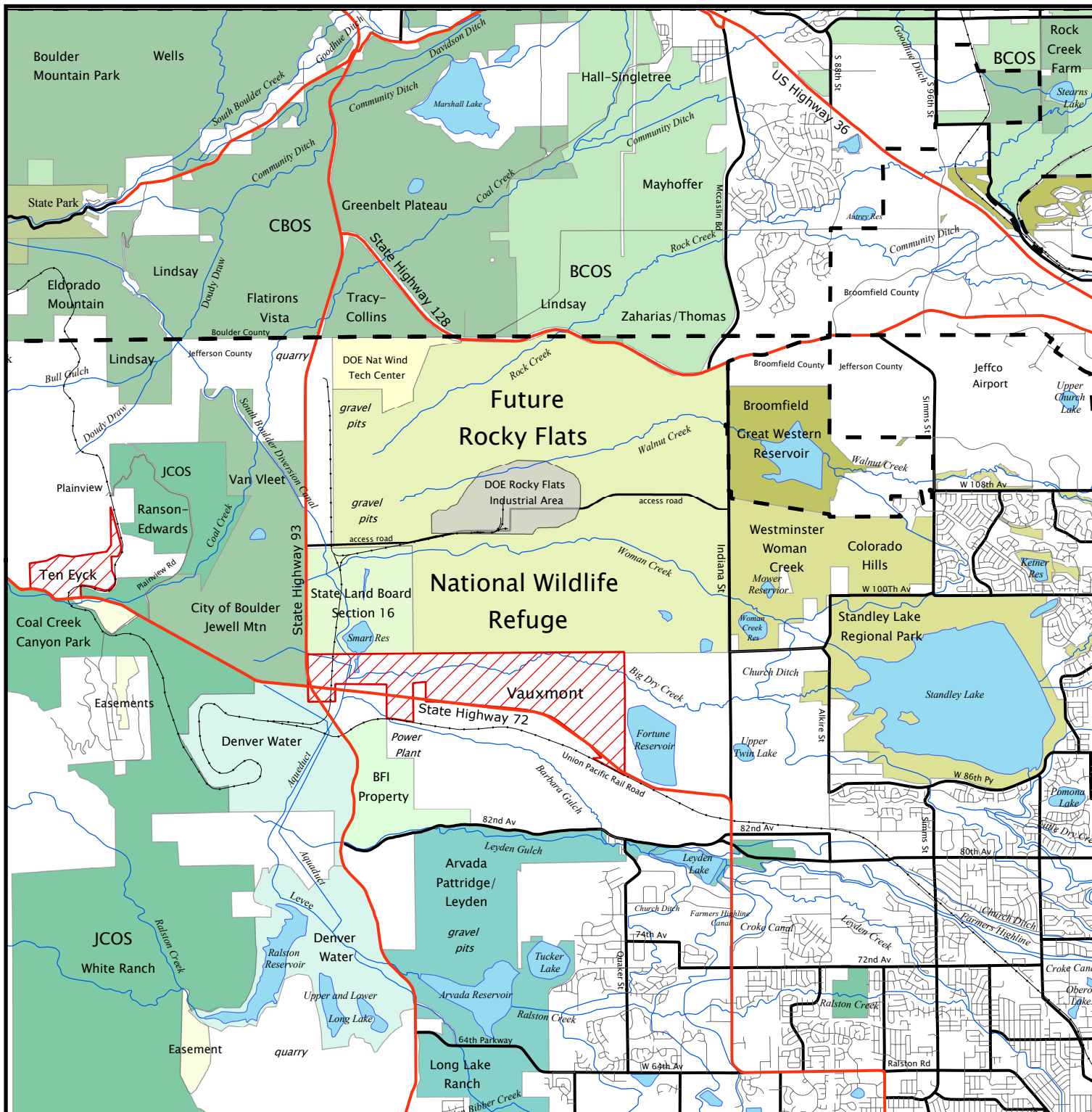
Note: Transparent colors in map may vary from those in legend.

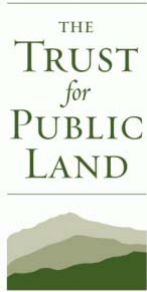
Other Features

- Highways
- Major Roads
- Local Roads
- Rail Lines
- Streams and Gulches
- Lakes and Reservoirs
- County Boundaries
- Proposed Development



North Jeffco Area Group
 Version 1.0, April 2002
 8.5" x 11" Format
 1:84,000 Scale
 State Plane Coordinates
 Central Zone, NAD 1927
 For reference only.
 Locations are approximate.
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*Conserving Land
for People*

To: David Abelson, Executive Director and the Rocky Flats Stewardship Council

From: Hillary Merritt, Project Manager

Date: 3/20/08

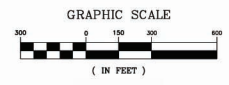
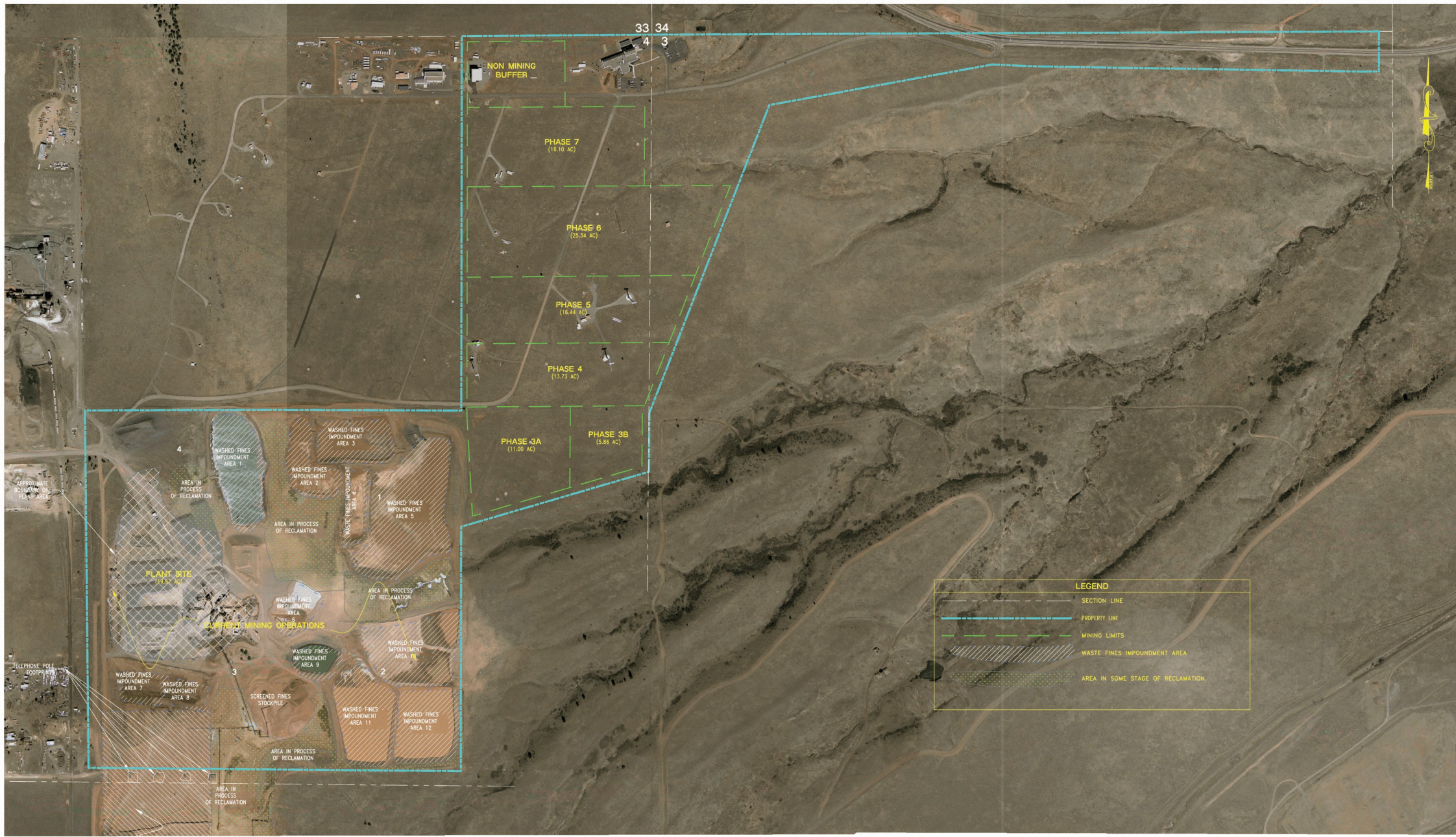
RE: Proposal for use of NRD Funds

Mineral Acquisition- Northwest Boundary of the Rocky Flats National Wildlife Refuge

The Trust for Public Land (TPL) respectfully submits this proposal to the Rocky Flats Stewardship Council for its support in using NRD funds for the acquisition of mineral rights on approximately 314 acres buffering the northwest boundary of the Rocky Flats National Wildlife Refuge.

In 2006 and 2007, TPL purchased three of the four “essential” mineral estates underlying Rocky Flats and conveyed them to the U.S. Department of Energy to help create the Rocky Flats National Wildlife Refuge. TPL has an option to purchase the remaining 314-acre mineral estate that buffers the northwest corner of the Wildlife Refuge (please see attached map). Permits for sand and gravel mining on the site have been approved by the Colorado Division of Minerals and Geology and Jefferson County, but the northern portion of the site has not been mined. The surface rights of the subject property are owned by the United States Department of Energy and managed by the National Renewable Energy Laboratory (NREL). NREL’s National Wind Technology Center is the nation’s premier wind energy technology research facility, and its activities include wind turbine research and development, and technology applications and testing. Many of the NREL facilities, including several of the large testing wind turbines, are located on the northern portion of the subject property.

Acquisition of these minerals will prevent future sand and gravel mining on the wind technology site and provide an additional buffer to the Wildlife Refuge. The estimated value of the mineral estate is \$1.5 million to \$2 million, and TPL will seek half of the acquisition funds from NREL. NRD monies are requested for the remaining funds, a proposed 50% leveraging opportunity. TPL views this as an excellent partnership between conservation and renewable energy, thereby protecting conservation values, and our nation’s investment in renewable energy resources.



PREPARED BY:		CLIENT:		PROJECT:		
BANKS AND CESSO, LLC. 720 KIPLING ST., SUITE 117 LAKEWOOD, COLORADO 80215 (303) 274-4277		HEGARTY AND GERKEN, INC. 1720 S BELLAIRE ST., SUITE 806 DENVER, CO 80222		SPICER II APPRAISAL JEFFERSON COUNTY COLORADO		
JOB NO	DATE	SCALE	DRAWN BY	DESIGNED BY	APPROVAL	REV SHEET
07032	12/5/07	NO SCALE	DRF			

AERIAL