

Land Conservation & Stewardship Board October 12, 2022 Regular Meeting – Excerpt

IGA Larimer County, City of Loveland land acquisition

Julia Feder, Environmental Program Manager presented the request from The City of Fort Collins Natural Areas Department to enter into an IGA with the Larimer County Department of Natural Resources to purchase a 1547-acre property adjacent to the City's Foothills/Buckhorn/Redstone Priority Area and within the County's Blue Mountain Conservation Area. The Natural Areas Department and the City of Loveland Open Lands and Trails Department will both donate towards the acquisition. In return the cities of Fort Collins and Loveland will receive a conservation easement on the 1547-acre property, which both entities will co-hold. The City of Fort Collins' contribution will be \$750,000.

This acquisition and conservation easement will protect important values that confer the following public benefits: 1) Wildlife habitat values, including significant, intact wildlife habitat made up of foothills grasslands, shrublands, and lower montane forest with numerous natural seeps and springs. 2) Scenic values that protect the visual corridor that includes conserved U.S. Forest Service, Colorado State Land Board, and conservation easement lands. 3) Buffer values that contribute to slowing development between unincorporated Larimer County and the City of Loveland. 4) Recreation opportunities will be considered, where appropriate.

DISCUSSION

Member Culver started the discussion by asking what brought the property to the county's attention. Daylan Figgs explained the property had been of interest to the County since 1993 and they built a relationship with the owner over the years, keeping in regular contact with the family, as is often the case in land conservation. When they last reached out the owner was ready to sell so things progressed much quicker than usual. Meegan Flenniken clarified that Larimer County would hold the fee title with the Cities of Fort Collins and Loveland jointly holding the conservation easement. She also responded to Member Culver's question about the possibility of GOCO grant funding by explaining it was not possible given the standard grant cycle and the accelerated closing date.

Member Piesman asked about the financials of the acquisition, specifically purchase price, and conservation easement costs to the City of Loveland and to the City of Fort Collins Natural Areas. Daylan answered that the agreed selling price was \$9 million with the City of Fort Collins contributing \$750,000 towards the conservation easement.

Several members commented on the wildlife habitat and ecological value with the property's adjacency to State Land Board and riverine property. Member Culver asserted it makes sense as a wildlife corridor and is a great project.

Member Piesman asked about the property's proximity to Devil's Backbone Open Space and future public access. Meegan explained the County plans to get to know the site and fully understand its resource values before embarking on the onboarding process. Given that Chimney Hollow Open Space is next in their capital improvement plan and long-term cost

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model, Meegan stated it will likely be many years before they begin the normal public onboarding process. She emphasized that Fort Collins and Loveland as stakeholders will be part of the process in determining public access.

Vice Chair Cunniff asked if the County had made any assessment as to restoration needs. Daylan responded that there is a lot of potential in the valley bottom including some remnant wetlands. Daylan stated there may be a little bit of fire mitigation work needed, but overall, the property is in a pretty healthy condition. The County will conduct a formal assessment within the first few years of ownership after the land has had a chance to rest from grazing. Daylan responded to questions about the possibility of wildlife management in cooperation with the State Land Board as an option to explore.

Vice Chair Cunniff voiced concern that while he thinks this is a nice addition to the region, pursuing acquisitions without a recent property value assessment may contribute to inflated property values, which leads to depleted dedicated funding and is therefore not sustainable.

Chair Elson asked for clarification on the cost split of the shared conservation easement, and the accelerated timeline for closing. Julia explained that within the first 12 months after the acquisition, Natural Areas will be working with the County and the City of Loveland to define each agency's role in the partnership and ensuring the City's interests are represented in the case of major changes to easement policy. Julia stated the costs are associated with funds available, and that the City of Fort Collins is fortunate to have multiple funding sources allowing Natural Areas to contribute to this effort. She noted this conservation easement does not inhibit the department's ability to pursue other properties currently of interest. Daylan followed up that the City of Loveland sets asides funds each year for partnership opportunities and their contribution here will take most of those funds. Meegan explained, a draft IGA was being circulated to all three government agencies and they expect to meet the closing date of November 30th, including review by Board of County Commissioners. She also assured Chair Elson the County has previously entered into several shared conservation easements, so this is not unusual.

Member Kramer asked about the possibility of closing delay and if would be necessary for any one of the parties to record the title. Daylan said historically that has not been needed and he does not anticipate any issue in that regard.

Meegan brought to the attention of the Board, the 153 acres on the southeast corner of the property that includes substantial public/residential infrastructure, which is viewed as a liability. The County intends to hold the right to sell that portion of the acquisition and is exploring options to limit development impact on open space value and future public access. In response to Member Kramer's question about current access to the parcels on the southeast corner, Meegan shared there is a privately maintained county road that is not a public access. Vice Chair Cunniff supports the County disposing of the housing.

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Overall, the Board was very excited about the property, grateful for the partnership with Larimer County and supportive of the IGA.

Chair Elson made a motion that the Land Conservation and Stewardship Board recommends that City Council approve an Intergovernmental Agreement (IGA) with Larimer County to partner on the purchase of the 1547-acre Heaven's Door Ranch property. Member Culver seconded the motion. The motion was unanimously approved, 8-0.

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