



# Minutes

## Colorado State Parks Board

Thursday, January 11, 2007  
Board Work Session: 8:00 AM – 10:15 AM  
Board Meeting: 10:30 AM – 12:00 PM  
**Omni Interlocken Resort**  
**Pine Meeting Room**  
500 Interlocken Blvd  
Broomfield, Colorado  
Phone: (303) 438-7224

Thursday, January 11, 2007

### 8:00 AM – 10:15 AM BOARD WORK SESSION

- Colorado State Parks Leadership Team Update
  - Field Operations Update
    - Lone Mesa State Park
    - James M. Robb-Colorado River State Park
    - Water
  - Budget/Financial Services Update
  - Statewide Programs Update
  - Board Reports
  - Upcoming Events
  - Roundtable
- Lyle Laverty
  - Larry Kramer
  - Kurt Mill/Scott Elder
  - Kurt Mill
  - Paul Flack
  - Elling Myklebust
  - Gary Thorson

10:30 AM

### PARKS BOARD MEETING

- (A) – Agenda Amendments, if necessary
- (A) – Approval of October 13, 2006 Parks Board Meeting Minutes

### PUBLIC COMMENT

10:45 AM

### AGENDA:

- (I) – Recognition – Volunteers for Outdoor Colorado
- (I) – Lathrop State Park Youth Camp
- (I) – Trails

Gary Thorson  
Michael French  
Richard Storm  
Larry Kramer

### CONSENT AGENDA:

- (A) – Mueller State Park – Qwest Easement
- (A) – Roxborough State Park – Easement
- (A) – Re-adoption of Regs adopted October 13, 2006

12:00 PM

### ADJOURN

**(A) = Action Items (I) = Information Items**

\*\* APPROVAL OF "ITEMS REFERRED FOR DIRECTOR'S ACTION" BY THE PARKS BOARD IS BASED ON WRITTEN MATERIAL. NO DISCUSSION WILL OCCUR UNLESS THERE ARE QUESTIONS FROM THE PARKS BOARD OR FROM THE PUBLIC.

\*\* PUBLIC COMMENT ON **BOARD MEETING AGENDA ITEMS IS WELCOME**. PLEASE SIGN UP ON SPEAKER SIGN-UP SHEET UPON ENTERING THE PARKS BOARD MEETING ROOM.

NOTE: ALL PROGRAMS, SERVICES AND ACTIVITIES OF THE COLORADO BOARD OF PARKS AND OUTDOOR RECREATION ARE OPERATED IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. IF YOU NEED A SPECIAL ACCOMMODATION AS A RESULT OF A DISABILITY, PLEASE CALL LINDA FOSTER AT (303) 866-2884. TO ASSURE THAT WE CAN MEET YOUR NEEDS, PLEASE NOTIFY US OF YOUR REQUEST AT LEAST SEVEN BUSINESS DAYS PRIOR TO THE SCHEDULED EVENT.

## **ATTENDANCE**

### **Parks Board Members:**

Dr. Tom Ready, Chair  
Antonette DeLauro, Secretary  
Wade Haerle  
Kevin Holst

### **Division Staff:**

Lyle Laverty, Director  
Larry Kramer, Deputy Director  
Gary Thorson, Deputy Director  
Richard Storm, Chief of Law Enforcement  
Elling Myklebust, Chief Financial Officer  
Kurt Mill, Rocky Mountain Region Manager  
Bob Wiig, Rocky Mountain Region Assistant Manager  
Dave Giger, High Plains Region Manager  
Kristi Quintana, High Plains Region Assistant Manager  
Michael French, SE Region Manager  
Heather Dugan, SE Region Assistant Manager  
Lori Malcolm, Trails Program Manager  
Linda Foster, Assistant to the Director's Office

### **Guests:**

Kate Boland, Executive Director – Volunteers for Outdoor Colorado  
Wally Piccone - GOCO

## MEETING MINUTES

**AGENDA AMENDMENTS** - None

### **ADOPTION OF BOARD MINUTES**

Adoption of October 13, 2006 Parks Board Meeting Minutes.

**Moved:** Kevin Holst  
**Seconded:** Wade Haerle  
**Vote:** Unanimous

### **PUBLIC COMMENTS –**

- None

## INFORMATION ITEMS

### **Recognition – Volunteers for Outdoor Colorado**

**PURPOSE:** Over the past five years Volunteers for Outdoor Colorado, a land stewardship based non-profit organization, has completed over 25 projects on Colorado State Parks. This constitutes a contribution of thousands of hours of volunteer labor and the value of these projects exceeds \$500,000. VOC has been an important and consistent partner, providing skilled project teams that plan, organize and deliver these important stewardship projects. If you have ever been involved in a VOC project, it's an amazing sight to see hundreds of volunteers working together toward a common goal. VOC has helped build our State Park system; trails, boardwalks, tree planting, wetlands, and wildlife habitat, VOC does it all. Thank you Volunteer for Outdoor Colorado.

**BACKGROUND INFORMATION:** Attached is a list of the VOC projects completed in the last five years at Colorado State Parks (Please read some example projects).

**DISCUSSION AND SUMMARY:** Colorado State Parks and Colorado State Parks Board would like to thank Volunteers for Outdoor Colorado for their ongoing support and recognize the lasting contribution that VOC has made to State Parks and State of Colorado.

In addition, it has come to our attention that Kate Boland, the Executive Director of VOC for the last seven years, has tendered her resignation. We would like to take this time to recognize Kate's contribution to this important partnership and thank her for her continued support of our State Park system.

## VOC and Colorado State Parks Projects, 2002-2006

### 2002 Projects

	<b>Date(s)</b>
Audubon Center Project	May 4, 2002
Eleven-Mile State Park	June 22-23, 2002
Mule Deer Trail Project	July 20-21, 2002
Frazer Meadows Youth Project (Golden Gate Canyon State Park)	Aug 13-15, 2002

### 2003 Projects

Blue Heron Recreation Site Project ( <i>cancelled</i> )	May 3-4, 2003
Zook Trail (Cheyenne Mt. State Park)	June 7-8, 2003
Back Country Trail Project (Eleven-Mile State Park)	June 28-29, 2003
Frazer Meadows Youth Project (Golden Gate Canyon State Park)	July 18-20, 2003
Kelly Lake Trail Reroute Project	August 3-9, 2003

### 2004 Projects

Chatfield Wetlands Planting Project	April 24, 2004
Cheyenne Mountain Interpretive Trail Project	June 5-6, 2004
Cheyenne Mountain Youth Overnight Project	July 23-25, 2004
St. Vrain Habitat Restoration Project	October 9, 2004

### 2005 Projects

Lory State Park Trail Restoration Project	May 21-22, 2005
VOC Cheyenne Mountain Amenity Trail	June 4-5, 2005
Lory State Park Youth Overnight Project	June 10-12, 2005
Chatfield Wetlands Trail & Habitat Restoration Project	September 24, 2005

### 2006 Projects

Chatfield Wetlands Adopt-A-Habitat	March 18, 2006
Chatfield Wetlands Adopt-A-Habitat	April 15, 2006
Chatfield Wetlands Adopt-A-Habitat	May 20, 2006
Native Gardens at Chatfield Youth Project	May 6, 2006
Lory Mountain Loop Trail Project	May 20-21, 2006
Lory Youth Overnight	June 16-18, 2006
St. Vrain Habitat Buffer	April 22, 2006
Chatfield Youth Fall Heel-In	October 7, 2006

## **Lathrop State Park Youth Camp**

**PURPOSE:** To inform the Parks Board of a potential land exchange with the City of Walsenburg for city property currently leased to Lathrop State Park.

**BACKGROUND INFORMATION:** On September 25, 2006 staff met with the Mayor of Walsenburg to discuss the potential of State Parks releasing its current sub-lease with Colorado Department of Human Services, Division of Youth Corrections of city owned property located on the south side of highway US 160 and directly adjacent and east of the V.A. hospital. State Parks currently has a 99 year lease of the property which was entered into with the city in May 1965. This property has several vacant buildings located on it which were utilized in past as a correctional youth camp and is approximately 18 acres in size. Approximately 200 acres of the property is located north of highway US 160 and is located on the southeast corner of Lathrop State Park. State Parks granted a sub-lease to the Division of Youth services in January 1966 for the purpose of constructing and operating a youth camp a period of 25 years. This sub-lease was amended in January 1990 and again in 1997, extending the term of the sub-lease for 25 years. The City of Walsenburg desires to develop the south side property and buildings into an assisted care facility connected with Spanish Peaks Regional Health Center.

**DISCUSSION AND SUMMARY:** In considering release of the 18 acres State Parks currently leases from the city of Walsenburg, State Parks has several items to consider.

- 1.) In exchange for amending the current lease, State Parks would receive fee title to the city owned property, 200 + acres, located on the north side of US 160 and on the southeast corner of the park.
- 2.) State Parks would want a guarantee of city water to irrigate the Lathrop golf course in perpetuity. This would be # 3 in the city's water management, exceeded only by 1) domestic drinking water for the city of Walsenburg and 2) water to keep Martin and Horseshoe lakes full, both of which are located within Lathrop State Park. Priorities 1 and 2 have already been established in previous agreements.
- 3.) If State Parks decides to proceed with this action, it will be necessary to vacate the existing sub-lease with Youth Services.

**DIVISION RECOMMENDATION:** Staff recommends continued exploration and negotiation with the City of Walsenburg for the release of the 18 acres currently leased by State Parks in exchange for the items listed above.

## **Trails Report**

## CONSENT AGENDA ACTION ITEMS

### Mueller State Park – Qwest Easement

**PURPOSE:** To seek Board approval to grant an easement to Qwest for the installation of a fiber optic cable from Divide Colorado to the entrance of Mueller State Park.

**BACKGROUND INFORMATION:** Mueller State Park has a long history of bad phone lines. After years of working with Qwest and private vendors the problem had not been resolved. During the summer of 2006 the phone line deteriorated to the point that voice calls were so noisy that it was difficult to understand the callers and the data lines were so poor the both fax and credit card transmissions often failed. The park staff repeatedly contacted Qwest in an effort to resolve the problem. Qwest determined that the Qwest main trunk line cable coming from the four-mile junction box was defective and was too costly to replace. The Park Manager then began working with State Telecommunications Office and Bill Getty the Qwest regional field manager to find a solution. After several months of trouble shooting and failed remedies a decision was reached with Qwest to install a fiber optic cable at Qwest's cost from Divide to the park entrance where the Qwest demark is located. Qwest engineering office determine that the most cost effective solution was to run a over head fiber optic cable from Divide to the park entrance on the existing Intermountain Rural Electric Association power poles. The existing power poles are all within 100 ft. of State Hwy 67. Qwest has established a joint user agreement with IREA but has determined that they do not have a legal easement on park property to install or maintain the new cable. Qwest is requesting that State Parks grant a legal easement on the already established IREA easement. The easement would wind its way from Divide 3.5 miles to the park entrance through State Park property, State Highway right of way and private property all on existing IREA power poles. The overhead line easement would be on park property approximately 1.4 miles. The cable would then go underground from the last power pole to the park entrance station. The underground cable (approximately 1585 ft) would follow the existing path of the current Qwest buried cable. If Qwest were granted the easement they would begin construction of the overhead cable this winter. The buried cable would be trenched 60" deep this winter depending on frost level. If necessary the buried cable would be completed in the spring. Qwest is requesting a letter stating that State Parks is willing to grant the easement and then they would proceed with the legal requirements such as surveys if needed and legal easement documents for signing by the State Parks Director.

**DISCUSSION AND SUMMARY:** Installation of the fiber optic cable will resolve ongoing communication/data/credit card transmission problems which have plagued the staff at Mueller State Park. Cost, installation and maintenance of the cable to the park entrance will be by Qwest. In reality this is not a new easement but an addition to existing easements allowing Qwest to install and maintain the new cable.

**DIVISION RECOMMENDATION:** Division staff recommends the Parks Board grant the request to allow Qwest to install and maintain a new fiber optic cable in the existing easements.

**Roxborough State Park - Easement**

**PURPOSE:** To seek Board approval for the Director to negotiate and consummate a change in an existing easement at Roxborough State Park.

**BACKGROUND INFORMATION:** Colorado State Parks has had an easement on property owned by Mr. Greg Goodwin on the west side of Roxborough State Park for many years. This easement was originally going to be utilized for access from the park through private property and onto USFS property. A trail was never constructed as property outside of the easement was developed into subdivisions. The property affected by the easement has been left in open space. Mr. Goodwin is now planning to develop his property into single family housing, and is asking that State Parks amend the easement to meet the goals of his development and the needs of Roxborough State Park. Division staff has been meeting with Mr. Goodwin's local contact Bob Bockholt to determine the best alignment for the amended easement.

**DISCUSSION AND SUMMARY:** The map attached to this action item shows the adjustment that staff has negotiated with the landowner. In exchange for returning a portion of the original easement to the landowner State Parks will gain a permanent access to and protection of Parks property that has been inaccessible in the past. Due to the small amount of acreage involved staff is recommending that the easement be adjusted at no cost to the state or to the landowner.

**DIVISION RECOMMENDATION:** The Director has found this easement adjustment to be necessary, suitable and proper for parks and outdoor recreation purposes. Staff recommends the Board give authorization to the Director to negotiate and consummate the easement adjustment with Mr. Goodwin as discussed in this action item.

**Regulations**

**- Richard Storm**

*These regulations were originally adopted by the Parks Board on October 13, 2006, with an intended effective date of January 1, 2007. Due to problems encountered with "e-filing" of the previous Attorney General's Opinion, State Parks was instructed by the Secretary of State's Office to again present the regulations to the Parks Board for re-adoption.*

**PURPOSE:** To amend Parks Board regulation numbers 100, 700, and 708.

**BACKGROUND INFORMATION:** Please refer to the Basis and Purpose Statements that are associated with the proposed regulation changes.

**DISCUSSION AND SUMMARY:** Please refer to the Basis and Purpose Statements that are associated with the proposed regulation changes.

**DIVISION RECOMMENDATION:** Approve as proposed by the Division.

#100 d. In addition to the general land and water regulations, the following restrictions shall also apply:

14. RIFLE FALLS STATE PARK

- (A) IT SHALL BE UNLAWFUL TO CLIMB, TRAVERSE, OR RAPPEL ON OR FROM ROCK FORMATIONS.

**BASIS AND PURPOSE**

Prohibiting climbing on rock formations at Rifle Falls State Park is necessary for public safety and park management purposes. As a "best management practice" the park is signed indicating that climbing is not allowed.

The Rifle Falls State Park Trails Plan (January 2000) completed by Arrowhead Trails Inc. mentions "Several short social trails adjacent to the falls should be closed, signed and reclaimed to help protect the unique micro-climate around the falls. Closures of some of the problem social trails will enhance the protection of native flora by eliminating foot traffic on non-designated trails. This will also enhance public safety by decreasing their access to steep shortcuts that are often wet and slippery." Many of the "steep trails" are nearly vertical, and climbing is the only practical means of access.

Every single traumatic injury that has occurred at Rifle Falls since 1997 has involved a fall. The majority of those injuries involved people climbing the rocks. At least four have required transport via ambulance to the hospital. The cliff face is 70' so there is a potential for significant mechanism of injury. The water around the falls makes rescue more difficult and adds the potential of drowning to the incident.

There is a world renowned climbing area located four miles farther north on Highway 325/CR 227. Visitors who wish to climb a cliff face can visit that area.

Rifle Fire Protection District, which provides emergency response services to the park, supports this regulation amendment.

The statutory authority for this regulation can be found in Colorado Revised Statutes sections 33-10-101, 33-10-102, 33-10-106, 33-10-107, 33-10-108, 33-10-109, and 24-4-103.

**EFFECTIVE DATE**

**The Secretary of State will publish this regulation along with the AG Opinion on March 12, 2007, in the CO Register. The effective date for this regulation will be April 1, 2007.**

#700-1. Except as otherwise provided in these regulations or by Colorado Revised Statutes, no motor vehicle shall be brought onto any Parks and Outdoor

Recreation lands unless a valid pass issued by the Division is properly attached. **PASSES THAT ARE DESIGNED TO BE AFFIXED TO THE WINDSHIELD SHALL BE ATTACHED** to the extreme lower right-hand corner of the vehicle's windshield in a position so that the pass may be observed and identified. For an annual vehicle pass, including an aspen leaf annual pass to be properly attached to a windshield it must be permanently affixed. Any vehicle without a windshield shall be treated as a special case, but evidence of a pass shall be required. **OTHER TYPES OF PASSES, SUCH AS HANG TAG PASSES, SHALL BE CONTINUOUSLY DISPLAYED IN THE MOTOR VEHICLE IN THE MANNER DESCRIBED ON THE PASS WHILE THE MOTOR VEHICLE IS OPERATED OR PARKED ON DIVISION PROPERTIES.**

**BASIS AND PURPOSE**

This regulation amendment is necessary in order to provide for hang tag type of parks passes designed to be hung from the rear view mirror of a motor vehicle. Hang tag type passes include the Columbine, Centennial, and courtesy passes.

The statutory authority for this regulation can be found in Colorado Revised Statutes sections 33-10-101, 33-10-102, 33-10-106, 33-10-107, 33-10-108, 33-10-109, 33-10-111, 33-12-100.2, 33-12-101, 33-12-102, 33-12-103, and 24-4-103.

**EFFECTIVE DATE**

**The regulation was presented to the Parks Board a second time on January 11, 2007, and was passed a second time by the Parks Board. The Secretary of State will publish this regulation on March 12, 2007, in the CO Register. The effective date for this regulation will be April 1, 2007.**

#708-1. The fees for the types of vehicle passes issued by the Division are as follows.

- c. ANNUAL VEHICLE PASSES PURCHASED ~~FOR NONCOMMERCIAL VEHICLES AND PURCHASED IN LARGE QUANTITIES DURING A SINGLE SALES TRANSACTION WILL BE DISCOUNTED AS FOLLOWS~~
  - (1) TWENTY OR MORE PASSES, BUT LESS THAN FIFTY  
20% DISCOUNT
  - (2) FIFTY OR MORE PASSES, BUT LESS THAN ONE HUNDRED  
25% DISCOUNT
  - (3) ~~MORE THAN ONE HUNDRED PASSES~~ **OR MORE**  
30% DISCOUNT

## **BASIS AND PURPOSE**

The legislative declaration contained in 33-12-100.2, C.R.S., states that “Because the nature and operation of such state parks and recreation areas, the system can be largely self-supporting, and the users of such resources can help to fund the systems operation and maintenance. The general assembly declares and intends that as a matter of state policy the system of state parks and state recreation areas should be financed as much as reasonably possible through revenues derived from the users of such system.”

This new fee structure for bulk annual parks pass sales will be in effect daily year-round beginning on January 1, 2007. Total additional revenue generated as a result of this amendment cannot be predicted, since discounts for large quantity annual parks pass sales have never been offered previously. However, the Division believes this discounted bulk sales structure will create new opportunities for marketing the sale of annual passes. These bulk sales will be monitored and tracked, and if the Division should determine at a future date that this amendment has not resulted in positive cash generation, then the Parks Board can rescind the amendment.

Since this amendment is to be implemented midway through Fiscal Year 06-07, the incremental revenue increase would be spread approximately equally between FY 06-07 and FY 07-08. This discounted fee structure is authorized under Parks Board authority contained in SB 03-290 to establish discounts in rule for marketing purposes.

The statutory authority for this regulation can be found in Colorado Revised Statutes sections 33-10-101, 33-10-102, 33-10-106, 33-10-107, 33-10-108, 33-10-109, 33-10-111, 33-12-100.2, 33-12-101, 33-12-102, 33-12-103, 33-12-103.5, 33-12-106, and 24-4-103.

## **EFFECTIVE DATE**

**The regulation was presented to the Parks Board a second time on January 11, 2007, and was passed a second time by the Parks Board. The Secretary of State will publish this regulation along with the AG Opinion on March 12, 2007, in the CO Register. The effective date for this regulation will be April 1, 2007.**

## CONSENT AGENDA

### ACTION ITEMS

- Larry Kramer

Larry Kramer presented the Action Items for the Consent Agenda, reviewing each item and fielding questions with members of the Board.

1. Mueller State Park – Qwest Easement
2. Roxborough State Park – Easement
3. Readoption of Regs adopted October 13, 2006

**MOTION:** “I move the Board of Parks and Outdoor Recreation approve the January Consent Agenda.”

**Moved:** Wade Haerle  
**Seconded:** Antonette DeLauro  
**Vote:** Unanimous

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### MEETING ADJOURNED

#### Minutes Approved:

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Dr. Ready, Chair

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Antonette DeLauro, Secretary