



July 2, 2019

City of Cherry Hills Village
Attn: Emily Black
2450 E Quincy Avenue
Cherry Hills Village, CO 80113
Via Email

Dear Ms. Black,

We have reviewed the Public Access Plan you have provided for the West Area of the Quincy Farm. We appreciate its thoroughness and the thoughtfulness that went into creating it. We believe that it is a very valuable document that will guide how any potentially negative impacts to the property and its conservation values from public access can be managed.

As to what type of public access is permitted in the West Area, we understand that your proposal is from sunrise to sunset, 7 days of the week. Paragraph 4(A)(4) *Limitations on Preservation of Use* of the easement states, "The West Area shall be managed primarily as a natural area with limited public access." In addition to requiring that public access be limited in the West Area, Paragraph 4(A). *West Area-Structures and Uses* states, "The West Area may be used for Preservation Uses as described in Paragraph 5(A), below, subject to the limitations described in Paragraph 4(A)(4), below, and for Agricultural Uses that are described in Paragraph 5(C)below."

The Preservation Uses described in Paragraph 5(A) are as follows: "The Property, and the structures permitted thereon, may be used as a nature preserve, for historic preservation and interpretation, for gardens, for private and public meetings, gatherings and celebrations, for classes and education, for photography, painting and other artistic endeavors, and such other uses as help to preserve the Property and instill an appreciation and respect for the natural and human history of the vicinity (collectively the "Preservation Uses").

Unfortunately, we do not believe that the type and extent of public access in your proposal (sunrise to sunset, 7 days a week) is consistent with the conservation easement. Specifically, we do not believe it is "limited" and is not consistent with the Preservation Uses as defined.

While we cannot approve your proposal, we would appreciate your willingness to develop an alternative public access plan that is consistent with the conservation easement. We are happy to work with you to do so.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Cufre".

Cheryl Cufre
Director of Land Stewardship

February 22, 2019

City of Cherry Hills Village
Attn: Emily Black
2450 E Quincy Avenue
Cherry Hills Village, CO 80113 Via Email

Dear Ms. Black,

The purpose of this letter is to respond to your request to provide public access to the Catherine Anderson/ Quincy Farm Conservation Easement. We have reviewed the documentation you provided and understand that your proposal is to allow the Farm, “to be open to the public daily from sunrise to sunset for a four-month trial period beginning Mar 1, 2019,” with access to the Nature Trail, “from the entrance at the High Line Canal Trail, with signage posted at the entrance to inform visitors about the hours, rules (such as no biking), and information about the history and preserved status of the Farm.” The Nature Trail is located in the West Area of the property as depicted on Exhibit B of the conservation easement.

Paragraph 4(A). *West Area-Structures and Uses* states, “The West Area may be used for Preservation Uses as described in Paragraph 5(A), below, subject to the limitations described in Paragraph 4(A)(4), below, and for Agricultural Uses that are described in Paragraph 5(C) below.” Furthermore, paragraph 4(A)(4) *Limitations on Preservation of Use* of the easement states, “The West Area shall be managed primarily as a natural area with limited public access.”

The purpose of limiting public access is to ensure the preservation and protection of the Conservation Values of the Property. The Conservation Values are described in the Recitals of the easement. While numerous Conservation Values are listed for the entire property, the Conservation Value of Relatively Natural Habitat is most relevant to the West Area because of its requirement to be “managed primarily as a natural area.”

We are concerned that your proposal to allow extensive public access of the Farm may negatively impact the Conservation Values of the Property. The conservation easement provides for limited public access, which we believe can be provided without impact to the Conservation Values, however, we do not have enough information on your proposed management of the public access to make a determination on your proposal.

We appreciate that your proposal includes a seasonal closure or redirection of the Nature Trail to protect the Great Horned Owls that typically nest in one of the pastures. However, we would like more information on when these closures are necessary and where the redirection of the Nature Trail will occur during this closure.

Prior to opening up the Farm for public access, we request that you provide us with a comprehensive public use plan that includes all proposed uses by the general public of the property and how the property will be managed so that this use is consistent with the conservation easement.

For example, we recommend that the you address how the Farm will be managed to protect wildlife while accommodating public use. Specifically, what wildlife require seasonal closures for their protection, when are closures necessary to protect nesting wildlife, particular the owls that use the property, what areas will be closed, and how will the property be monitored to ensure that trespass does not occur during these times and at these locations which would be detrimental to wildlife.

We also recommend that your plan include how potentially negative impacts from public use of the property will be identified, monitored, prevented, and managed. For example, public use of the property, with traffic from the Highline Canal to the West Area may bring in invasive weeds which would negatively impact the Conservation Values. In addition, what strategies are in place to ensure that the public does not impact the remainder of the West Area, for example, by creating social trails.

These are just a few examples of potential impacts from public use of the property and there may be others to consider. We recommend that you further consider what type of public limited public access is appropriate for the property and how potential negative impacts from this use will be mitigated. Perhaps a revision to the Management Plan is appropriate.

Colorado Open Lands appreciates your commitment to protecting the Conservation Values of your property and we are happy to work with you further as you consider limited public use of the property.

Sincerely,



Cheryl Cufre
Director of Land Stewardship