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To: Board of County Commissioners

Through: Shannon Carter, Open Spaces and Intergovernmental Relations Director

Prepared By:

Sandra Bottoms, Grants and Acquisitions Administrator, Open Spaces

Presenter: Sandra Bottoms, Grants and Acquisitions Administrator, Open Spaces
Maggie Hanna, Colorado Cattlemen's Agricultural Land Trust

Subject:

9:30 AM *Lindsay Ranch Conservation Easement Funding Request

Purpose and Request:

Staff from Colorado Cattlemen's Agricultural Land Trust (CCALT) will present a request for \$200,000 in Open Space Acquisition & Development funding to support the purchase of a conservation easement on the 1,764-acre Lindsay Ranch in eastern Arapahoe and Elbert Counties; and seek approval of the Open Spaces and Trails Advisory Board (OSTAB)/staff recommendation to the Board of County Commissioners (BoCC) to fund the request.

Background and Discussion: Arapahoe County's Open Space resolution authorizes the use of Open Space

Sales and Use Tax revenues to acquire fee title, conservation easement, or other interests in open space. Past conservation easement acquisitions supported by the County and completed in cooperation with partners include Bijou Canyons (128 acres in Arapahoe County and 955 acres in Elbert County), Middle Bijou (6,615 acres in Arapahoe County and 5,963 acres in Elbert County), and Sumac Hill (11 acres along the High Line Canal in Centennial).

CCALT is working with Joe and Kay Lindsay to conserve the Lindsay Ranch east of Deer Trail, Colorado. The Lindsay Ranch conservation easement will permanently protect 1,764 acres of native prairie grassland (1,439 acres in Arapahoe County) and build upon almost 80,000 acres of conservation work that has been completed by various organizations over the past two decades. A conservation easement is essential to protecting the Lindsay Ranch's phenomenal conservation values, mitigate the threat of development, allow Joe and Kay to pass their agricultural operation on to the next generation, and build on the deep connection to the land that Kay Lindsay's great grandfather homesteaded in 1909.

Colorado has lost approximately 50% of its native prairie grasslands and eastern Colorado is expected to face a significant increase in development pressure as population and housing prices increase along the Front Range. Consequently, conserving the remaining tracts of open prairie is a priority for many conservation groups. This type of landscape scale conservation is rare and can combat the major threats to prairie ecosystems and the species that depend on them.

Population growth in Arapahoe and Elbert Counties has exceeded the state population growth since 2010, with growth rates of 14.8% and 15.8% respectively. In this time Arapahoe County has seen a 23% decrease in farmed acres. As these trends continue, pressure on agricultural property owners in attractive locations to sell to developers will increase along with land values and the overall cost of land conservation, making it far more cost effective to proceed with conservation efforts now. The Lindsays approached CCALT in 2016 to move forward with a conservation easement on the ranch. After almost five years, the transaction has gained traction and is moving towards closing. CCALT secured partial funding for the project from NRCS' Agricultural Land Easements - Grasslands of Special Significance program (\$334,806) in September 2021 and is seeking the remaining funds in the amount of \$200,000 from Arapahoe County.

CCALT and the Lindsays plan to close the conservation easement by the end of 2022. The value of the conservation easement is determined through an appraisal process which determines the value of the property with a fair market value and then values the property with the encumbrance. The difference between the two values is the determined conservation value. Prior to closing, as a component of the transaction, CCALT will complete a Baseline Inventory Report, a Mineral Remoteness Assessment, title review, the appraisal prior to closing, and secure title work. All due diligence will be provided to Arapahoe County for review in advance of closing. The terms of the conservation easement will then be monitored annually by CCALT, ensuring that the conservation values are being protected and offering CCALT staff an opportunity to be aware of neighboring land changes, upcoming issues, and restoration needs.

Lindsay Ranch is and has been managed as a cattle operation for the better part of the last century. The Ranch is native prairie managed to support a Red Angus cow-calf herd. It takes a critical mass of open and functional property to be able to sustain a working agricultural landscape, and the Lindsay Ranch has that. In addition to its own functional acreage, the property is surrounded by other agricultural operations which support one

another and the local agricultural community. Lindsay Ranch is also in a neighborhood of conserved ranchland. Nearby conservation easements include Stacked Lazy Three Ranch (5,044 acres), Purdy Ranch (8,684 acres), Basin Ranch (3,531 acres), Wilson Creek and Lowell Ranches (26,025 acres), and E Bar Ranch (5,364 acres) all held by CCALT. These neighboring ranches contribute to landscape scale grazing as well as contribute to labor on one another's ranching operations. Additionally, there are a number of easements in the area held by other land trusts, as well as a significant presence of Colorado State Trust Lands leased for grazing and recreation.

Intact native grasslands and shrublands store large quantities of carbon in the soil, accumulated over decades and sometimes millennia, which if converted release up to 30% of the pre-existing carbon into the atmosphere as carbon dioxide equivalents. These soil carbon sinks are incredibly resilient (e.g., they are not as impacted during wildfire or drought compared to other above-ground carbon storage in biomass). The easement will protect grassland soils and avoid future conversions of the 1,764 acres of rangeland (grasslands and shrublands) that are threatened by development and other non-grassland uses.

The Lindsay Ranch provides habitat for a number of at-risk species including Swift Fox, Texas Horned Lizard, Swainson's Hawk, Ferruginous Hawk, Prairie Falcon, Burrowing owl, Cassin's and Brewer's Sparrows, the Mountain Plover, the Lark Bunting, and even Golden Eagles. Large migration corridors for Pronghorn and Mule Deer will also be protected. The conservation easement will ensure that habitat is protected, eliminating fragmentation potential and ensuring that the opportunity for these sensitive species to exist will be protected in perpetuity.

The Arapahoe County Open Spaces Master Plan supports the Lindsay Ranch conservation easement through Objective 2 (Maintain Ecosystem Health and Resilience). Specifically, Priority 1 is to support agricultural practices and heritage and to conserve agricultural lands and grasslands, including by partnering with land trusts to leverage funding and support for agricultural lands conservation. Additionally, the Master Plan recommends prioritizing projects that meet multiple objectives, including those that adjoin existing open spaces and conservation easements, preserve historic farms and working lands, and protect quality wildlife habitat. The Master Plan also shows the location of the Lindsay Ranch to be a notably environmentally sensitive area with critical wildlife habitat and scenic viewsheds and overlapping with Open Spaces Priority Areas in the Eastern County as shown in Map 15.

Fiscal Impact: County support for the project in the amount of \$200,000 will come from the Open Space Acquisition and Development Fund. The fund balance exceeds this amount. Ongoing stewardship of the conservation easement will be the responsibility of CCALT.

Alternatives: Approval, approval with changes, or denial of funding request.

Alignment with Strategic Plan:

- ☒ Be fiscally sustainable
- ☐ Provide essential and mandated service
- ☒ Be community focused

Staff Recommendation: Staff recommends approval of the expenditure of up to \$200,000 toward the purchase of a conservation easement on Lindsay Ranch. .

Concurrence: On October 25, 2021, the Open Space and Trails Advisory Board (OSTAB) and Open Spaces staff made a joint recommendation to the BoCC to approve up to \$200,000 in Open Space Acquisition and Development Funds toward the purchase of a conservation easement on the 1,764-acre Lindsay Ranch