

November 6, 2014 -- Property Transaction Proposal Colorado Parks and Wildlife

Flagg Creek Ranch Perpetual Conservation and Public Access Easements

Rio Blanco County

2,598 acres

9 miles south of Meeker

Section 33-1-105 (3)(a), C.R.S. states:

In the event that the [Parks and Wildlife] Commission plans to acquire the fee title to any real property or to acquire an easement for a period to exceed 25 years or at a cost to exceed \$100,000 or to enter into any lease agreement for the use of real property for a period to exceed 25 years or at a cost to exceed \$100,000, or to sell or otherwise dispose of the fee title to any real property which has a market value in excess of \$100,000, the Commission shall first submit a report to the Capital Development Committee [CDC] which outlines the anticipated use of the real property, the maintenance costs related to the property, the current value of the property, any conditions or limitations which may restrict the use of the property, and, in the event real property is acquired, the potential liability to the state which will result from such acquisition. The CDC shall review the reports submitted by the Commission and make recommendations to the Commission concerning the proposed land transaction within 30 days from the day on which the report is received. The Commission shall not complete such transactions without considering the recommendations of the CDC, if such recommendations are timely made.

The required report is attached. CDC staff questions about the report are listed below.

Action Required

Recommend support for the acquisition of perpetual conservation and public access easements on the Flagg Creek Ranch (\$3,147,600 CF for 2,598 acres).

CDC Staff Questions

1. What advantage is gained by the division through the acquisition of a conservation easement and perpetual public access easement on the property?

The conservation easement will permanently protect important wildlife habitat; a key element of the Division's mission. Protecting large landscapes is critical to insuring the future of elk, deer and other wildlife such as greater sage grouse. With regard to the access easement, at such time as the landowner no longer desires to provide access via the Combat Marines Outdoors program, the Division will implement a different public access opportunity.

2. Will more hunters be permitted access to the property after the perpetual public access easement is acquired?

No more than currently permitted by the landowner.

3. The "Summary of Proposal" states that public access for hunting is managed by the landowner and Combat Marines Outdoors. How will the acquisition of a perpetual public access easement change the current management of the property? If no change is anticipated then why is the division seeking a perpetual public access easement?

The public access easement will not change current management of the property. When the landowner or Combat Marines Outdoors no longer desires to manage the public access, the Division can take over and provide limited hunting opportunities to the general public that are currently unavailable.

4. What are the benefits of allowing the landowner and Combat Marines Outdoors to manage access to the property?

If a landowner is interested in managing some degree of public access to the landowner's property, it is always best for the landowner to manage this over his own property, such that the landowner maintains as much control over his property as he is interested in maintaining.

5. What recourse does the land owner have if a hunter accesses the property without permission?

The procedure that a landowner would follow when dealing with hunting trespass would be the same as any other private lands in the state. Neither of these easements would change that. If there was hunting trespass the

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landowner would call CPW, the Local Sherriff's office, or State Patrol and dispatch will route the call to CPW and CPW will respond.

6. In addition to hunting, what other outdoor recreation activities take place on the property?

Fishing and wildlife viewing. In addition to hunting, wildlife viewing would also be available to selected members of the public.

Capital Development Committee
November 2014—Property Transaction Proposal

Department of Natural Resources
Division of Parks and Wildlife

Action Required	Pursuant to C.R.S. 33-1-105(3)(a) and C.R.S. 33-10-107(2) recommend to the Colorado Parks and Wildlife Commission support for the Division of Parks and Wildlife’s proposal to acquire perpetual conservation and public access easements on private property.
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General Information	
Name	Flagg Creek Ranch – Homestead Parcel
Number of acres	2598
Location	Approximately 9 miles south of Meeker
County	Rio Blanco

Costs / Source of Funding			
Purchase Price	\$3,147,600	Funding Source	GOCO Wildlife Purpose and Wildlife Cash
Wildlife Cash – Habitat Stamp	Spending authority has already been approved for this project in the Long Bill		
	Fiscal Year	2013-14	
	Line Item	Land and Water Acquisitions	
	Appropriation	\$6,500,000	
	Remaining Unexpended Balance	\$3,754,024	
GOCO	GOCO Funds are not appropriated in the Long Bill		
	Fiscal Year	2013-14 - GOCO Wildlife Purpose	
	Line Item	GOCO13150	
	Appropriation	\$4,800,000	
	Remaining Unexpended Balance	\$4,186,120	
GOCO	GOCO Funds are not appropriated in the Long Bill		
	Fiscal Year	N/A-GOCO Board Resolution October 18, 2012	
	Line Item	GOCO13170	
	Appropriation	\$1,500,000	
	Remaining Unexpended Balance	\$1,144,966	
Annual Monitoring and Operation Costs	\$340.00	Funding for the monitoring and operation costs of the property will come from Wildlife Management Line Item under the Division Operations Group in the Long Bill.	
Development Costs	\$0.00		

* The Division may alter the source of funds for individual acquisitions based on circumstances that arise in the time period prior to closing.

Summary of Proposal:

This is a 2012 RFP project whereby CPW will acquire a perpetual Conservation Easement and a perpetual public Access Easement on real property. Public access to the Property is for deer and elk hunting and is currently managed by the landowner and Combat Marine Outdoors. However, when that management is no longer desired, CPW will assume the responsibility to manage public access for deer and elk hunting.

Current uses of the Property are for hunting, outdoor recreation, wildlife habitat and livestock grazing. Those uses will continue in the future.

The landowner acquired the Property in 1989.

According to a review of the first map referenced below, the Property lies outside the scope of regions of known or potential geothermal resources. Also, according to a review of the second map referenced below, the Property lies outside the Central Solar Power and the Wind Resource Generation Development areas.

Geothermal: November, 2003 US Department of Energy, Office of Energy Efficiency and Renewable Energy, Geothermal Technologies Program.

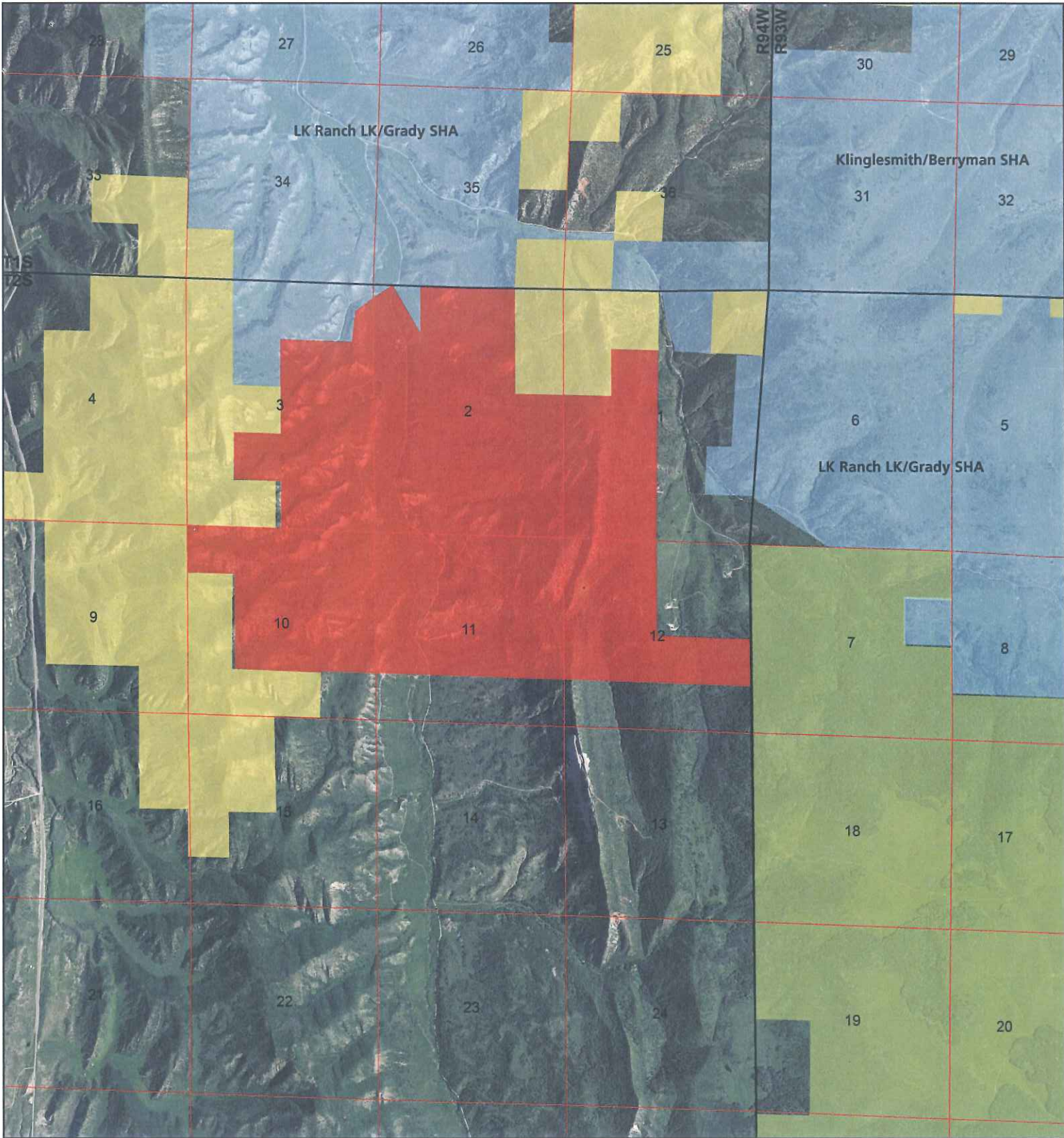
Wind and Solar: A map entitled "SB07-91 Renewable Resource Generation Development Areas" from "Renewable Energy Development Structure," a report of the Colorado Governor's Energy Office dated December 2009.

Mineral Interest Ownership:

Most of the mineral rights have been severed from the surface, but the landowner owns some. The conservation easement will prohibit extraction of the minerals owned by the landowner and the Minerals Remoteness Letter determined, "the probability of surface mining at the Site is so remote as to be negligible; however the possibility exists for oil and/or gas exploration and extraction via methods other than surface mining on the Property and adjoining lands".

Attachments:

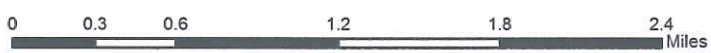
- Map
- Concurrence letters
- Three (3) comparables from appraisal

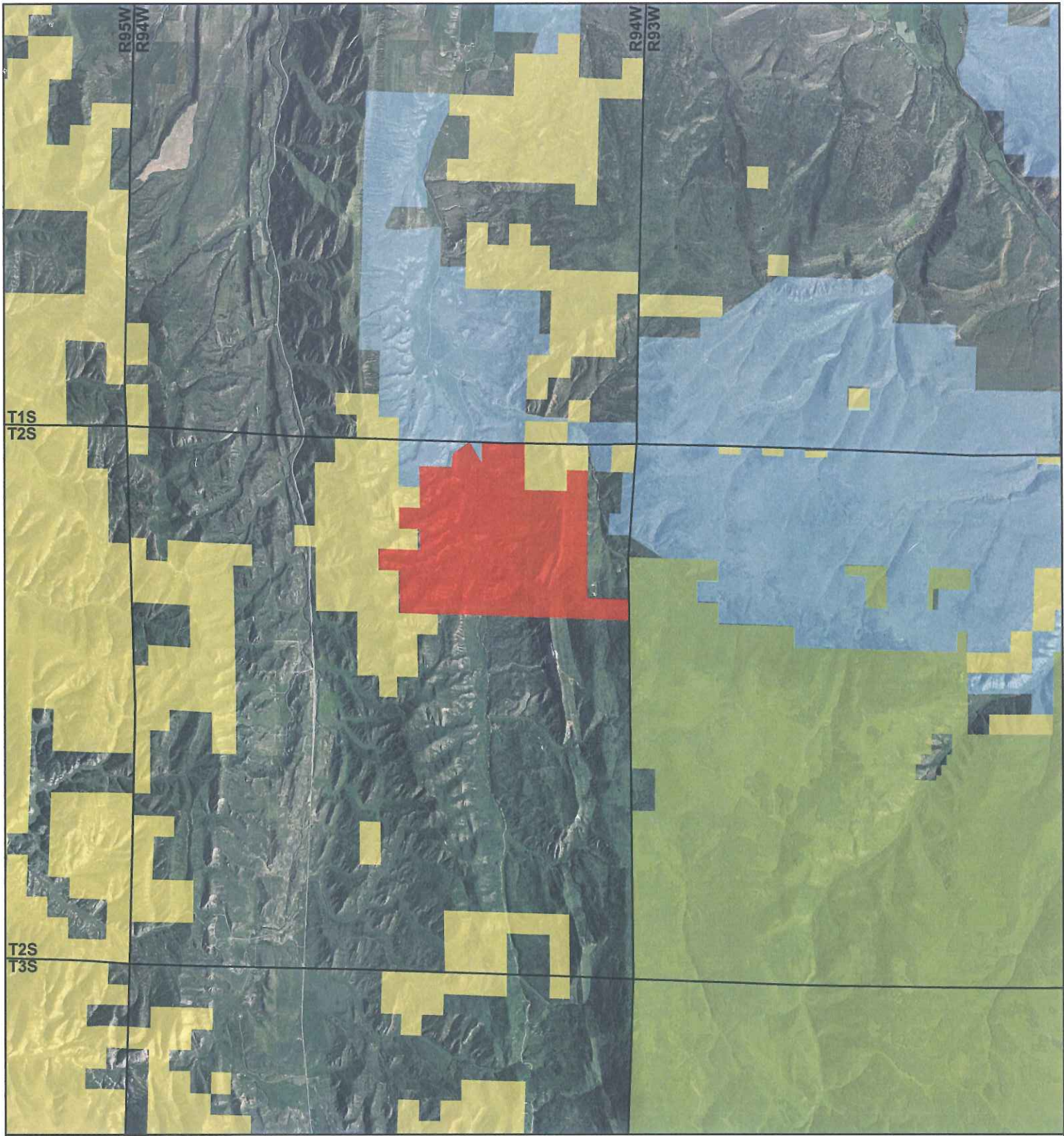


Flag Creek - Homestead Parcel Public Access and Conservation Easement 12-066-NW



- Flag Creek - Homestead Parcel
- Bureau of Land Management
- CPW Property and Easements
- US Forest Service





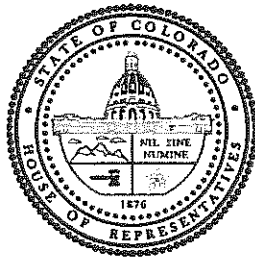
**Flag Creek - Homestead Parcel
Public Access and Conservation Easement
12-066-NW**



- Flag Creek - Homestead Parcel
- Bureau of Land Management
- CPW Property and Easements
- US Forest Service



State Representative
BOB RANKIN
Colorado State Capitol
200 East Colfax Avenue, Room 271
Denver, Colorado 80203
Office: 303-866-2949
Email: bob.rankin.house@state.co.us



Member:
Agriculture, Livestock, &
Natural Resources Committee
Local Government Committee

COLORADO
HOUSE OF REPRESENTATIVES
State Capitol
Denver
80203

Bill de Vergie
Colorado Parks and Wildlife
Meeker Service Center
PO Box 1181
Meeker, CO. 81641

Re: Flagg Creek Ranch Conservation Easement with CPW

Dear Bill,

The Colorado Parks and Wildlife and Flagg Creek Ranch are currently in negotiations concerning a conservation easement on a parcel of land in Rio Blanco County. With this agreement, the CPW and landowner would agree to protect some critical wildlife habitat in Rio Blanco County, Colorado.

I concur/do not object with the conservation easement between the Colorado Parks and Wildlife and Flagg Creek Ranch.

Regards,

A handwritten signature in black ink, appearing to read "Bob Rankin", is written over a horizontal line.

Bob Rankin
State Representative
House District 57

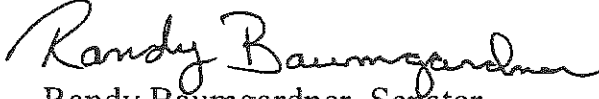
Bill de Vergie
Colorado Parks and Wildlife
Meeker Service Center
PO Box 1181
Meeker, CO. 81641

Re: Flagg Creek Ranch Conservation Easement with CPW

Dear Bill,

The Colorado Parks and Wildlife and Flagg Creek Ranch are currently in negotiations concerning a conservation easement with limited public hunting access on a parcel of land in Rio Blanco County. With this agreement, the CPW and landowner would agree to protect some critical wildlife habitat in Rio Blanco County, Colorado.

I concur/do not object with the conservation easement between the Colorado Parks and Wildlife and Flagg Creek Ranch.


Randy Baumgardner, Senator



RIO BLANCO COUNTY
BOARD OF COUNTY COMMISSIONERS
COUNTY ADMIN BUILDING, 200 MAIN
P.O. BOX I
MEEKER, COLORADO 81641
970-878-9430

5 August 2014

Bill de Vergie
Area Wildlife Manager
P.O. Box 1181
Meeker, CO 81641

Dear Bill:

The Board of County Commissioners has reviewed the Colorado Parks and Wildlife's (CWP) Conservation Easement Proposal on the Flagg Creek Ranch. It is the Boards' understanding this property consists of 2,527 acres and is located South of the Town of Meeker. The Flagg Creek Ranch acreage lies adjacent to four other conservation easements and will increase this block of land to over 15,000 acres of protected land.

Along with being a heavily used migration corridor this acreage will provides winter range for deer, elk, and moose. One of Rio Blanco County's more important economic drivers is hunting season and it is hoped the addition of these acres will help increase the local herds stability.

Rio Blanco County Commissioners are supportive of this CPW conservation easement on the Flagg Creek Ranch.

Sincerely,

Board of Commissioners
Rio Blanco County

Jon D. Hill
Chairman of the Board

JON D. HILL
Commissioner

JEFFREY D. ESKELSON
Commissioner

SHAWN J. BOLTON Chairman

bocc@co.rio-blanco.co.us

Flagg Creek Ranch – Homestead Parcel, 12-066-NW

Real Estate Comparables from the Appraisal
dated July 1, 2014

Sale No. 2

Sale Date: August 15, 2011

Acreage: 6,336

Location: Hayden

Indicated Value from Appraisal: \$10,137,000 or \$1,600/AC (Rounded)

Sale No. 4

Sale Date: December 18, 2012

Acreage: 4,224

Location: Meeker

Indicated Value from Appraisal: \$13,500,000 or \$3,196/AC (Rounded)

Sale No. 5

Sale Date: April 3, 2013

Acreage: 556

Location: Meeker

Indicated Value from Appraisal: \$1,400,000 or \$2,509/AC (Rounded)